

STATEMENT OF OBJECTS AND REASONS.

Since Independence in 1947, the number of Universities in India as a whole has increased from 18 to more than 118. But the number of Universities established in this State since Independence is only three, namely, the Madurai-Kamaraj University, the Tamil Nadu Agricultural University and the Perarignar Anna University of Technology. The Gajendragadkar Committee on the governance of the Universities and colleges had recommended that Universities would do well to have a strong case of teaching departments with about thirty affiliated colleges. The number of colleges affiliated to the Madras University is 167. It exceeds the number of colleges recommended to be affiliated to a University by the said Committee. This unwieldy character of the Madras University tells upon not only on the administrative efficiency of the University but also on the academic attainment of the students of the colleges. In order to obviate this difficulty and also to put the University of Madras on an efficient footing, the Government have decided to establish two new Universities. namely (1) the Bharathiar University and (2) the Bharathidasan University without any further delay. These new Universities will be concentrating on three main fields of activities. namely. (i) teaching; (ii) research and (iii) extension activities. The said two Universities will be of the affiliating type.

2. The establishment of these Universities will further meet the long felt aspirations of the people of the regions and will also lead to strengthening of Post-Graduate Centres as well as to have additional facilities for universalisation of education. like part-time courses, correspondence courses. etc. and the like.

3. The Bill seeks to provide for the establishment of Bharathidasan University.

C.ARANGANAYAKAM
Minister for Education

Published In LA Bill No. 80 of 1981 of the Bharathidasan University Bill, 1981-Part IV Section 1 of Tamil Nadu Government Gazatte, Extraordinary. Dated Saturday. the 29th August 1981.

REFERENCES TO PAPERS CONNECTED WITH THE PRINCIPAL ACT AND THE AMENDING ACTS

1. The Bharathidasan University Act, 1981 - Principal Act.
(Tamil Nadu Act No.2 of 1982)

(Received the assent of the Governor on the 12th December 1981 and published in Part IV Section 2 of the Tamil Nadu Government Gazette, Extraordinary, dated the 7th January, 1982, Pages 71-121; For statement of Objects and Reasons see Part IV - Section 1 of Tamil Nadu Government Gazette, Extraordinary, dated 29-8-1981 Page No. 872.)

2. The Bharathidasan University (Amendment) Act, 1985 Tamil Nadu Act No. 20 of 1985)

(An Act further to amend the Bharathidasan University Act 1981 received the assent of the President in pursuance of the proviso to clause (1) of Article 213 of the Constitution and published in the Tamil Nadu Government Gazette, Extraordinary, dated 1-4-85, pages 74-80)

3. The Bharathidasan University (Amendment) Act, 1986 (Tamil Nadu Act. No. 20 of 1986)

(An Act further to amend the Bharathidasan University Act 1981 received the assent of the Governor and published in the Tamil Nadu Government Gazette, Extraordinary, dated 21-2-1986, pages 73-81)_

4. Tamil Nadu Universities Laws (Amendment) Act, 1986 (Tamil Nadu Act No. 75 of 1986)

(An Act further to amend the Tamil Nadu Universities Laws received the assent of the Governor and published in the Tamil Nadu Government Gazette, Extraordinary, dated 15-12-1986, page 472)

5. Tamil Nadu Universities Laws (Amendment) Act, 1992 (Tamil Nadu Act No.9 of 1992)

(An Act further to amend the Tamil Nadu Universities Laws received the assent of the President and published in Tamil Nadu Government Gazette Extraordinary dated 27-2-1992 pages 39 & 40)

THE BHARATHIDASAN UNIVERSITY ACT, 1981.
(TAMIL NADU ACT NO.2 OF 1982)

AS AMENDED BY :

1. The Bharathidasan University (Amendment) Act, 1985.(Tamil Nadu Act No 20 of 1985)
2. The Bharathidasan University (Amendment) Act, 1986.(Tamil Nadu Act No 20 of 1986)
3. Tamil Nadu Universities Laws (Amendment) Act, 1986.(Tamil Nadu Act No 75 of 1986)
4. Tamil Nadu Universities Laws (Amendment) Act 1992 (Tamil Nadu Act No.9 of 1992)

1. (i) Amendment of Section 7,18,20,23,24,25,29,34,52 and the Schedule. (ii) Substitution of Section 15 Tamil Nadu Act 2 of 1982- deemed to have come into force on the 5th July, 1984. Amendment of Section 49. Tamil Nadu Act 2 of 1982-deemed to have come into force on the 15th May, 1983. Amendment of Section 65. Tamil Nadu Act 2 of 1982-deemed to have come into force on the 7th January, 1982.

2. (i) Amendment of Section 1,15,18,25,29,34.

(ii)Substitution of Section 14,46

(iii)Insertion of new Section 44-A. and (iv) Omission of Section 64 and the Schedule to Tamil Nadu Act 2 of 1982-came into force at once.

3. Amendment of Section 24- came into operation on such date as the State Government may, by notification. Appoint

4. Amendment of section 20,23,24 Insertion of new section 7 and special provision came into force at once.

THE BHARATHIDASAN UNIVERSITY ACT, 1981.
(TAMIL NADU ACT NO.2 OF 1982.)

AS AMENDED BY THE BHARATHIDASAN UNIVERSITY (AMENDMENT) ACT, 1985 AND AS FURTHER AMENDED BY THE BHARATHIDASAN UNIVERSITY (AMENDMENT) ACT, 1986. AND TAMIL NADU UNIVERSITIES LAWS (AMENDMENT) ACT, 1986.

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The Bharathidasan University Act, 1981
(Tamil Nadu Act 2 of 1982)

CHAPTER I

PRELIMINARY

1. Short title, extent, application and commencement –

(1) This Act may be called the Bharathidasan University Act, 1981.

²(2) It extends to the area comprising the districts of Ariyalur, Karur, Nagapattinam, Perambalur, Pudukkottai, Thanjavur, Tiruchirappalli and Thiruvarur”

(3) It applies to all colleges and institutions situate within the University area and affiliated to, or approved by the University in accordance with the provisions of this Act or the statutes, ordinances and regulations made there under and also to all colleges and institutions deemed to be affiliated to or approved by the University under this Act.

(4) This section and sections 2,3,4,5,9, 10,11,12,13,14, 15,16,18, 19,45,54,55,56 (x x)! and 65 shall come into force at once and the rest of this Act, shall come into force on such date as the Government may, by notification, appoint.

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

(a) '*affiliated college*' means any college situate within the University area and affiliated to the University and providing courses of study for admission to the examinations for degrees of the University and includes a college deemed to be affiliated to the University under this Act;

Bharathidasan University (Amendment) Act, 1986

¹The expression '64' was omitted by section 13 of Bharathidasan University (Amendment) Act, 1986.

² Tamil Nadu Universities Laws (Amendment and Repeal) Act, 2021-Tamil Nadu Government Gazette No.470, dated.06.10.2021-PART III of PART IV-Section 2.

(b) '*approved college*' means any college situate within the University area and approved by the University and providing courses of study for admission to the examinations for titles and diplomas of the University and includes a college deemed to be approved by the University under this Act;

(c) '*autonomous college*' means any college designated as an autonomous college by statutes;

(d) '*college*' means any college or any institution maintained or approved by, or affiliated to, the University and providing courses of study for admission to the examinations of the University ;

(e) '*Government*' means the State Government;

(f) '*hostel*' means a unit of residence for the students of the University maintained or recognised by the University in accordance with the provisions of this Act and includes a hostel deemed to be recognised by the University under this Act;

(g) '*notified date*' means, the date specified in notification issued under sub-section (4) of section 1 :

(h) '*post-graduate college*' means a University college or an affiliated college situate within the University area and providing post-graduate courses of study leading upto the post -graduate degrees of the University ;

(i) '*prescribed*' means prescribed by this Act or the statutes, ordinances or regulations;

(j) '*principal*' means the head of a college ;.

(k) '*professional college*' means a college established or maintained by the University or affiliated to the University and providing courses of study leading upto the professional degrees of the University ;

(l) '*registered graduate*' means a graduate registered under this Act;

(m) '*statutes*', '*ordinances*' and '*regulations*' mean, respectively, the statutes, ordinances and regulations of the University made or continued in force under this Act;

(n) '*teachers*' mean such Lecturers, Readers, Assistant Professors, Professors and other persons giving instruction in University colleges, or laboratories, in affiliated or approved colleges, or in hostels, and Librarians as may be declared by the statutes to be teachers;

(o) '*teachers of the University*' mean person appointed by the University to give instruction on its behalf;

(p) '*University*' means the Bharathidasan University;

(q) '*University area*' means the area to which this Act extends under sub-section (2) of section 1 ;

(r) '*University centre*' means any area within the University area recognised by the Government on the recommendation of the University and containing one or more colleges competent to engage in higher teaching and research work and to promote University life in a manner calculated to prepare for the institution of a new University ;

(s) '*University college*' means a college or a college combined with research institute maintained by the University, whether instituted by it or not, and providing courses of study leading upto the post-graduate and professional degrees ;

(t) '*University Grants Commission*' means the Commission established under section 4 of the University Grants Commission Act, 1956 (Central Act 3 of 1956) ;

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(u) '*University laboratory*' means a laboratory maintained by the University, whether instituted by it or not, and intended for the carrying on and advancement of research work;

(v) '*University Lecturer*', '*University Reader*' or '*University Professor*' mean Lecturer, Reader or Professor, respectively appointed or deemed to be appointed as such by the University;

(w) '*University Library*' means a library maintained by the University, whether instituted by it or not.

CHAPTER II

THE UNIVERSITY

3. *The University* - (1) There shall be a University by the name 'the Bharathidasan University'.

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

(3) The Headquarters of the University shall be located within the limits of the Tiruchirappalli Municipality or in any

place within a radius of twenty-five kilometres around those limits,

4, Objects and powers of the University – The University shall have the following objects and powers, namely:-

(1) to provide for instruction and training in such branches of learning as it may determine;

(2) to provide for research and for the advancement and dissemination of knowledge;

(3) to institute degrees, titles, diplomas and other academic distinctions;

(4) to hold examinations and to confer degrees, titles, diplomas and other academic distinctions on persons who-

(a) shall have pursued an approved course of study in a University college or laboratory or in an affiliated or approved college unless exempted therefrom in the manner prescribed by the statutes and shall have passed the prescribed examinations of the University; or

(b) shall have carried on research under conditions prescribed;

(5) to confer degrees, titles, diplomas and other academic distinctions on persons who shall have pursued an approved course of study in an autonomous college;

(6) to hold examinations and to confer degrees, titles, diplomas and other academic distinctions on persons

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who shall have pursued an approved course of study by correspondence whether residing within the University area or not and to provide such lectures and instructions for persons not being residents within the University area under conditions prescribed;

(7) to confer honorary degrees or other academic distinction under conditions prescribed;

(8) to institute, maintain and manage institutes of research, University colleges and laboratories, libraries, museums and other institutions necessary to carry out the objects of the University;

(9) to affiliate colleges to the University as affiliated, professional or post-graduate colleges under conditions prescribed and to withdraw affiliation from colleges;

(10) to approve colleges providing courses of study for admission to the examinations for titles and diplomas of the University under conditions prescribed and to withdraw such approval;

(11) to designate any college as an autonomous college with the concurrence of the Government in the manner and under conditions prescribed and to cancel such designation;

(12) to. institute lecturerships, readerships, professorships and any other teaching post required by the University and to appoint persons to such lecturerships, headerships, professorships and other teaching posts;

(13) to institute and award fellowships, travelling

fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes in accordance with the statutes;

(14) to establish, maintain and manage hostels, to recognise hostels not maintained by the University and to withdraw recognition therefrom;

(15) to exercise such control over the students of the University through the colleges as will secure their health and well-being and discipline;

(16) to hold and manage endowments and other properties and funds of the University;

(17) to borrow money with the approval of the Government on the security of the property of the University for the purposes of the University;

(18) to fix fees and demand and receive such fees as may be prescribed;

(19) to make grants from the funds of the University for the maintenance of a National Cadet Corps;

(20) to institute and maintain a University Extension Board;

(21) to institute and provide funds for the maintenance of

- (a) a publication bureau;
- (b) an employment bureau;
- (c) students' unions;

(d) University athletic clubs; and

(e) other similar associations;

(22) to encourage co-operation among the colleges, laboratories and institutes in the University area and cooperate University with other Universities and other authorities in such manner and for such purposes as the University may determine;

(23) to recommend to the Government the recognition of any area within the University area as a University Centre; and

(24) generally to do all such other acts and things as may be necessary or desirable to further the objects of the University.

5. Colleges not to be affiliated to any other University and recognition of institutions by the University –

(1) No college within the University area shall be affiliated to any University other than the Bharathidasan University.

(2) No institution affiliated to, or associated with, or maintained by, any other University in the State of Tamil Nadu shall be recognised by the University for any purpose except with the prior approval of the Government and the concerned University

6. Disqualification for membership - (1) No person shall be qualified for nomination or election as a member of any of the authorities of the University, if on the date of such nomination or election, he is -

- (a) of unsound mind, a deaf mute or suffering from leprosy; or
- (b) an applicant to be adjudicated as an insolvent or an undischarged insolvent; or
- (c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude.

(2) In case of dispute or doubt the Syndicate shall determine whether a person is disqualified under sub-section (1) and its decision shall be final.

7. ¹ Restriction for election or nomination to Senate, Standing Committee on Academic Affairs and Syndicate in certain cases.
—(1) Notwithstanding anything contained in section 20, 23 or 24, any person who has completed two terms of three years each, continuously in any one or two of the following authorities of the University, namely:-

- (i) The Senate
- (ii) The Standing Committee on Academic Affairs, and
- (iii) The Syndicate

Shall be eligible, after a period of three years has elapsed from the date of his ceasing to be such member, for election or nomination to any of the above mentioned authorities:

Provided that for the purpose of this sub-section, if a person was elected or nominated to one authority and such person became a member of another authority by virtue of the membership in the first mentioned authority, the period for which he held office in the first mentioned authority alone shall be taken into-account

¹ Act No.41 of 1998 – An Act further to amend the Tamil Nadu Universities Laws – substituted for Section 7.

Provided that for the purpose of this sub-section, a person who has held office for a period not less than one year in anyone of the said three authorities in a casual vacancy shall be deemed to have held office for a period of three years in that authority.

(2) Nothing in sub-section (1) shall have application in respect of

(i) ex-officio members referred to in section 20(a), Class I, but not including members of the Syndicate who are not otherwise members of the senate referred to in item (13); and

(ii) ex-officio members referred to in section 23(2)(a), Class I and Section 24(b), Class I

8. Visitation. - (1) The Chancellor shall have the right to cause an inspection or inquiry to be made, by such person or persons as he may direct of the University, its buildings, laboratories, libraries, museums, workshops and equipment and of any institutions maintained, recognized or approved by or affiliated to the University and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made 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 such inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(2) The Chancellor shall communicate to the Syndicate his views with reference to the results of such inspection or inquiry and may after ascertaining the opinion of the Syndicate thereon advise the University upon the action to be taken and fix a time limit for taking such action.

(3) The Syndicate shall report to the Chancellor the action, if any, which is proposed to be taken or has been taken upon the results of such inspection or inquiry. Such report shall be submitted within such time as the Chancellor may direct.

(4) Where the Syndicate does not take action to the satisfaction of the Chancellor within a reasonable time, the Chancellor may, after considering any explanation furnished or representation made by the Syndicate, issue such directions as he may think fit and the Syndicate, shall comply with such directions. In the event of the Syndicate not complying with such directions within such time as may be fixed in that behalf by the Chancellor, the Chancellor shall have power to appoint any person or body to comply with such directions and make such orders as may be necessary for the expenses thereof.

9. Officers of the University. - The University shall consist of the following officers, namely :-

- (1) The Chancellor;
- (2) The Pro-Chancellor;
- (3) The Vice-Chancellor;
- (4) The Registrar;
- (5) The Finance Officer;
- (6) The Controller of Examinations; and
- (7) Such other persons as may be declared by the statutes to be officers of the University.

10. The Chancellor - (1) The Governor of Tamil Nadu shall be the Chancellor of the University. He shall, by virtue of his office, be the head of the University and shall, when present, preside at any convocation of the University and confer degrees, diplomas or other academic distinctions upon persons entitled to receive them.

(2) Where power is conferred upon the Chancellor to nominate persons to the authorities, the Chancellor shall, in consultation with the Vice-Chancellor, and to the extent necessary, nominate

persons to represent interests not otherwise adequately represented.

(3) The Chancellor may of his own motion or on application call for and examine the record of any officer or authority of the University in respect of any proceedings to satisfy himself as to the regularity of such proceedings or the correctness, legality or propriety of any decision passed or order made therein; and, if, in any case, it appears to the

Chancellor that any such decision or order should be modified, annulled, reversed or remitted for reconsideration, he may pass orders accordingly:

Provided that every application to the Chancellor for the exercise of the powers under this section shall be preferred within three months from the date on which the proceeding, decision or order to which the application relates was communicated to the applicant:

Provided further that no order prejudicial to any person shall be passed unless such person has been given an opportunity of making his representation.

(4) The Chancellor shall exercise such other powers and perform such other duties as may be conferred on him by or under this Act.

11. The Pro-Chancellor/or.- (1) The Minister in-charge of the portfolio of Education in the State of Tamil Nadu shall be the Pro-Chancellor of the University.

(2) In the absence of the Chancellor or during the Chancellor's inability to act, the Pro-Chancellor shall exercise all the powers and perform all the duties of the Chancellor.

(3) The Pro-Chancellor shall exercise such other powers and perform such other duties as may be conferred on him by or under this Act.

12. The Vice Chancellor- (1) Every appointment of the Vice-Chancellor shall be made by the Chancellor from out of a panel of three names recommended by the Committee referred to in sub-section (2). Such panel shall not contain the name of any member of the said Committee:

¹Provided that if the Chancellor does not approve any of the persons in the panel so recommended by the Committee, he may take steps to constitute another committee in accordance with sub-section (2), to give a fresh panel of three different names and shall appoint one of the persons named in the fresh panel as the Vice-Chancellor.

²(2) For the purpose of sub-section (1), the Committee shall consist of –

- (i) A nominee of the Government, who shall be a retired or serving officer of the State Government not below the rank of Principal Secretary to Government or an eminent educationist.
- (ii) A nominee of the Senate who shall be an eminent educationist.

Explanation.-For the purpose of this Sub-Section, “eminent educationist” means a person,-

- (i) Who is or has been a Vice-Chancellor of any University established by the State Government or Central Government; or
- (ii) Who is a distinguished academician, with a minimum of ten years of experience as Professor in a State or Central University or in both taken together; or
- (iii) Who is or has been a Director or Head of any institute of national importance;

Provided that the person so nominated shall not be member of any of the authorities of the University or shall not be connected with the University or any College or any recognized institution of the University.

¹Added under Tamil Nadu University Laws (Amendment ordinance 1992-Tamil Nadu Government Gazette dated 10.1.1992 - Part IV - Sec. 2

²Substituted for the original by Section 2 of PART V of Tamil Nadu Government Gazette Extraordinary – dated 26.07.2017.

(2-A) A person recommended by the Committee for appointment as Vice-Chancellor shall-

- (I) be a distinguished academician with highest level of competence, integrity, morals and Institutional Commitment;
- (II) possess such educational qualifications and experience as may be specified by the State Government in consultation with the Chancellor by an order published in the Tamil Nadu Government, Gazette.

In exercise of the powers conferred by clause (ii) of sub-section (2-A) of Section 12 of the Bharathidasan University Act 1981 (Tamil Nadu Act 2 of 1982), the Government of Tamil Nadu in consultation with the Chancellor of the Bharathidasan University, hereby specifies that every person recommended by the Committee, referred to in sub-section (2) of the said Section 12, for appointment as Vice-Chancellor shall possess the following educational qualifications and experience namely:-

- 1. A Ph.D. Degree in any discipline;
- 2. Not less than twenty years of experience in teaching and research in Universities or post graduate Colleges or publicly funded research institutions or in all taken together:

Or

Not less than ten years of experience as Professor in a University System.

- 3. Not less than six years of administrative experience in Universities or post graduate Colleges or publicly funded search institutions in positions such as Dean, Head of the Department or any other such administrative positions of equal higher degree of responsibility or in all taken together;
- 4. Must have published not less than five research papers in University Grants Commission listed journals after acquiring Ph.D or authored not less than two books (non edited books) is adequate number of such University Grants Commission listed journals are not available: and

5. Must have presented not less than two papers in international level academic or research events and possess experience of having conducted not less than one such academic or research event.

(2-B) The Process of nominating the members to the Committee by the authorities of the University and the Government shall begin six months before the probable date of occurrence of vacancy in the office of the Vice-Chancellor and shall be completed four months before the probable date of occurrence of vacancy in the office of the Vice-Chancellor.

(2-C) The process of preparing the panel of suitable persons for appointment as Vice-Chancellor shall begin at least four months before the probable date of occurrence of the vacancy in the office of the Vice-Chancellor.

(2-D) The Committee shall submit its recommendation to the Chancellor within four months from the date of its constitution. If the Committee does not submit its recommendation to the Chancellor within the said period, the Chancellor may grant further time to the Committee to submit its recommendation or take steps to constitute another Committee in accordance with sub-section (2).

(3) The Vice-Chancellor shall hold office for a period of three years and shall be eligible for re-appointment for a further period of three years:

Provided that no person shall hold the office of the Vice-Chancellor for more than six years in the aggregate:

Provided further that –

(a) the Chancellor may direct that a vice-Chancellor, whose term of office has expired, shall continue in office for such period, not exceeding a total period of one year, as may be specified in the direction:

(b) the Vice-Chancellor may, by writing under his hand addressed to the Chancellor and after giving two months notice, resign his office:

Provided also that a person appointed as Vice-Chancellor shall retire from office, if, during the term of his office or any extension thereof, he completes the age of seventy years.

(4) When any temporary vacancy occurs in the office of the Vice-Chancellor or if the Vice-Chancellor is, by reason of absence or any other reason, unable to exercise the powers and perform the duties of his office, the seniormost Professor of the University shall exercise the powers and perform the duties of the Vice-Chancellor till the Syndicate makes the requisite arrangements for exercising the powers and performing the duties of the Vice-Chancellor.

(5) The Vice-Chancellor shall be a whole-time officer of the University and his emoluments and other terms and conditions of service shall be as follows:-

(i) There shall be paid to the Vice-Chancellor a salary of three thousand rupees per mensem and he shall be entitled, without payment of rent, to the use of a furnished residence throughout his term of office, and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence.

(ii) The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Syndicate with the approval of the Chancellor from time to time:

Substituted for the word of 'sixty five years' by Section-12-Sub-Section (3) of Bharathidasan University Act-1981 - T.N Govt. Gazet the (Extraordinary) dated 16.11.12 (Pages 262-263)

Provided that, where an employee of –

(a) the University; or

(b) any other University or college or institution maintained by, or affiliated to that University, is appointed as Vice-Chancellor he shall be allowed to continue to contribute to the Provident Fund to which he is a subscriber, and the contribution of the University shall be limited to what he had been contributing immediately before his appointment as Vice-Chancellor;

(iii) The Vice-Chancellor shall be entitled to travelling allowances at such rates as may be fixed by the Syndicate;

(iv) The Vice-Chancellor shall be entitled to earned leave on full pay at one-eleventh of the periods spent by him on active service:

Provided that when the earned leave applied for by the Vice-Chancellor in sufficient time before the date of expiry of the term of his office is refused by the Chancellor in the interest of the University and if he does not avail of the leave before the date of expiry of the term of his office, he shall be entitled to draw cash equivalent to leave salary after relinquishment of his office in respect of earned leave at his credit subject to a maximum of one hundred and eighty days;

Note: In Syndicate Resolution No. 94.112, dated 29.4.1994, the norms for grant of leave, encashment of earned leave and payment of terminal gratuity to the Vice-Chancellor has been revised.

(v) The Vice-Chancellor shall be entitled on medical grounds or otherwise, to leave without pay for a period not exceeding three months during the term of his office:

Provided that such leave may be converted into leave on full pay to the extent to which he is entitled to earned leave under clause(iv).

6. For removal of doubts, it is hereby declared that if the member nominated by the Senate or the Syndicate to the Committee, before the date of commencement of the Tamil Nadu Universities Laws (Amendment) Act, 2017 does not possess the qualifications specified in sub-section (2) of section 12 of the Bharathidasan University Act, 1981 (Tamil Nadu Act 2 of 1982), as amended by this Act, he shall cease to be such member and in his place the Senate or the Syndicate, as the case may be, shall nominate a member afresh possessing the qualifications specified in sub-section (2) of section 12 of the Bharathidasan University Act, 1981 (Tamil Nadu Act 2 of 1982), as amended by this Act.

"12-A. Removal of Vice-Chancellor:- (1) The Vice-Chancellor shall not be removed from his office except by an order of the Chancellor passed on the ground of wilful omission or refusal to carry out the provisions of this Act or for abuse of the powers vested in him and on the advice tendered by the Government on consideration of the report of an inquiry ordered by them under sub-section (2).

(2) For the purposes of holding an inquiry under subsection (1), the Government shall appoint a person who is or has been a judge of the High Court or who is or has been an officer of the Government not below the rank of Chief Secretary to Government. The inquiry authority shall hold the inquiry after giving an opportunity to make representation by the Vice-Chancellor and shall submit a report to the Government on the action to be taken including penalty, if any, to be imposed, and the Government shall, on consideration of the report advise the Chancellor. The Chancellor shall act in accordance with such advice, as far as may be, in any case within three months."

13. Powers and duties of the Vice-Chancellor:-

(1) The Vice-Chancellor shall be the academic head and the principal executive officer of the University and shall, in the absence of the Chancellor and Pro-Chancellor, preside at any

convocation of the University and confer degrees, titles, diplomas, or other academic distinctions upon persons entitled to receive them. He shall be a member *ex-officio* and Chairman of the Senate, Syndicate, Standing Committee on Academic Affairs and the Finance Committee and shall be entitled to be present at, and to address, any meeting of any authority of the University but shall not be entitled to vote thereat, unless he is a member of the authority concerned.

T.N. Govt. Gazette - Extraordinary No.154 dated 08-08-2014
Part IV-Section 1

(2) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, the statutes, ordinances and regulations are observed and carried out and he may exercise all powers necessary for this purpose.

(3) The Vice-Chancellor shall have power to convene meetings of the Senate, the Syndicate, the Standing Committee on Academic Affairs and the Finance Committee.

(4) (a) The Vice-Chancellor shall have power to take action on any matter and shall by order take such action as he may deem necessary but shall, as soon as may be, thereafter report the action taken to the officer or authority or body who or which would have ordinarily dealt with the matter.

Provided that no such order shall be passed unless the person likely to be affected has been given a reasonable opportunity of being heard:

(b) When action taken by Vice-Chancellor under this subsection affects any person in the service of the University, such person shall be entitled to prefer an appeal to the Syndicate within thirty days from the date on which he has notice of such action. The Vice-Chancellor shall give effect to the order such appeal.

(5) The Vice-Chancellor shall give effect to the orders of the Syndicate regarding the appointment, suspension and dismissal of the teachers and the other employees of the University.

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

(7) The Vice-Chancellor Shall be responsible for the coordination and integration of teaching and research, extension education and curriculum development

(8) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed by statutes

¹ [14. *The Registrar*- (1) The Registrar shall be a whole-time salaried officer of the University appointed by the Syndicate and the terms and conditions of service of the Registrar shall be as follows:-

(i) The holder of the post of Registrar shall be an academic not lower in rank than that of Professor of a college affiliated to any University;

(ii) The Registrar shall hold office for a period of three year:

Provided that the Registrar shall retire on attaining the age of fifty-eight years or on the expiry of the period specified in this clause whichever is earlier;

(iii) The emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed;

(iv) When the office of the Registrar is vacant or when the Registrar is by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office of the Registrar shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(2) (a) The Registrar shall have power to take disciplinary action against such of the employees excluding teachers of the University and academic staff, as may be specified in the orders of the Syndicate and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure or withholding of increments:

¹Substituted for the original:by Section 14 of Bharathidasan University (Amendment) Act, 1986.

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him;

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in clause (a) ;

(c) In any case where the inquiry discloses that punishment beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor along with his recommendations:

Provided that an appeal shall lie to the Syndicate against an order of the Vice-Chancellor imposing any penalty ;

(d) No appeal under clause (b) or clause (c) shall be preferred after the expiry of sixty days from the date on which the order appears against was received by the appellant.

(3) The Registrar shall be the *ex-officio* Secretary of the Senate, the Syndicate, the Faculties and the Boards of Studies, but shall not be deemed to be a member of any of these authorities.

(4) It shall be the duty of the Registrar,-

(a) to be the custodian of the records, the common seal and such other property of the University as the Syndicate shall commit to his charge;

(b) to issue all notices convening meetings of the

Senate, the Syndicate, the Faculties, the Boards of Studies, the Boards of Examiners and of any Committee appointed by the authorities of the University;

(c) to keep the minutes of all proceedings of the meetings of the Senate, the Syndicate, the Faculties, the Boards of Studies, the Boards of Examiners and of any Committee appointed by the authorities of the University;

(d) to conduct the official correspondence of the Syndicate;

(e) to supply to the Chancellor, copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of the proceedings of such meetings; and

(f) to exercise such other powers and perform such other duties as may be specified in the statutes, the ordinances or the regulations or as may be required, from time to time, by the Syndicate or the Vice-Chancellor.

(5) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar]

[15. The Finance Officer:- (1) The Finance Officer shall be a whole-time salaried officer of the University appointed by the Syndicate for such period as may be specified by the Syndicate in this behalf. ² [x x]

<i>Bharathidasan University (Amendment) Act, 1986</i>

¹substituted for the original by section 17 of Bharathidasan University (Amendment) Act. 1985.

²words "and the terms and conditions of service of the Finance officer shall be such as may be specified in the first Statute" were omitted by section 15 of Bharathidasan University (Amendment) Act, 1986.

(2) Every appointment of the Finance Officer shall be made by the Syndicate from out of panel of three names recommended by the Government]

¹ [(3) The emoluments and other terms and conditions of service of the Finance Officer shall be such as may be prescribed by the ordinances.

(4) The Finance Officer shall retire on attaining the age of fifty-eight years or on the expiry of the period specified by the Syndicate under sub-section (1) whichever is earlier.

Provided that the Finance Officer shall, notwithstanding his attaining the age of fifty-eight years, continue in office until his successor is appointed and enters upon his office or until the expiry of a period of one year, whichever is earlier.

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(5) When the office of the Finance Officer is vacant or when the Finance Officer is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the Finance Officer shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(6) The Finance Officer shall be the ex-officio Secretary of the Finance Committee, but shall not be deemed to be a member of such Committee.

(7) The Finance Officer shall-

(a) exercise general supervision over the funds of the

1 sub sections 3,4,5,6,7,8 and 9 were added by section 15 of Bharathidasan University (Amendment) Act, 1986.

University and shall advise the University as regards its financial policy; and

(b) exercise such other powers and perform such other financial functions as may be assigned to him by the Syndicate or as may be prescribed by the statutes or the ordinances:

Provided-that the Finance Officer shall not incur any expenditure or make any investment exceeding such amount as may be prescribed without the previous approval of the Syndicate.

(8) Subject to the control of the Syndicate, the Finance Officer shall-

(a) hold and manage the property and investments of the University including trust and endowed property;

(b) ensure that the limits fixed by the Syndicate for recurring and non recurring expenditure for a year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted.

(c) be responsible for the preparation of annual accounts, financial estimates and the budget of the *University* and for their presentation to the Syndicate;

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(d) keep a constant watch on the cash and bank balances and of investments;

(e) watch the progress of the collection of revenue and advise on the methods of collection employed;

(f) ensure that the registers of buildings, land, furniture and equipment are maintained up-to-date and that stock checking is conducted, of equipments and other consumable materials in all offices, special centres, specialised laboratories and colleges maintained by the University;

(g) bring to the notice of the Vice-Chancellor any unauthorized expenditure or other financial irregularity and suggest appropriate action to be taken against persons at fault; and

(h) call from any office, centre, laboratory and college maintained by the University any information or returns that he may consider necessary for the performance of his duties.

(9) The receipt of the Finance officer or of the person or persons duly authorised in this behalf by the Syndicate for any money payable to the University shall be sufficient discharge to payment of such money.]

16. The Controller of Examinations.- (1) The Controller of Examinations shall be a whole time officer of the University appointed by the Syndicate for such period and on such terms and conditions as may be prescribed.

(2) The Controller of Examinations shall exercise such powers and perform such duties as may be prescribed.

17. Authorities of the University.- The authorities of the University shall be the Senate, the Syndicate, the Standing Committee on Academic Affairs, the Faculties, the Finance Committee, the Boards of Studies and such other authorities as may be declared by the statutes to be authorities of the University.

18. The Planning Board.-

(1) There shall be constituted a Planning Board of the University which shall advise generally on the Planning and Development of the University and keep under review the standard of education and research in the University.

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¹[(2) The Planning Board shall consist of the following members, namely :-

- (i) the Vice-Chancellor, who shall be the Chairman of the Board; and
- (ii) not more than eight persons of high academic standing.

(3) ² [xl The members of the Planning Board shall be appointed by the Chancellor and shall hold office for such. period as he may determine.

(4) The Planning Board shall, in addition to all other powers vested in it by this Act, have the right to advise the Syndicate and the Standing Committee on academic Affairs on any academic matter.]

19. Vice-Chancellor and other Officers, etc. to be public servants.- The Vice-Chancellor, the Registrar, the Finance Officer, the Controller of Examinations and other employees of the University shall be deemed when acting or purporting to act in pursuance of any of the provisions of this Act to be public servants within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

¹ Substituted for the original by Section 16 of Bharathidasan University (Amendment) Act, 1986.

² [xl Original Sub-section omitted by section 18 of Bharathidasan University (Amendment) Act, 1986

CHAPTER -III.

THE SENATE AND THE STANDING COMMITTEE ON ACADEMIC AFFAIRS

POWERS AND DUTIES.

20. The Senate. - (a) The Senate shall consist of the following persons namely:-

Class I- Ex-Officio Members

- (1) The Chancellor;
- (2) The Pro-Chancellor;
- (3) The Vice-Chancellor;
- (4) The Director of Collegiate Education;
- (5) The Director of School Education (incharge of Higher
Secondary Education);
- (6) The Director of Technical Education;
- (7) The Director of Legal Studies;
- (8) The Director of Medical Education;
- (9) Heads of University Departments of Study and Research;
- (10) Principals of all Affiliated Colleges;
- (11) The Librarian of the University Library;

(12) The Director of Physical Education of the University; and

(13) Members of the Syndicate who are not otherwise members of the Senate.

Class II - Other Members

(1) One member elected by teachers of each affiliated college;

(2) One member elected from among themselves by the Secretaries of the College Committees of the private colleges as defined in the Tamil Nadu Private Colleges (Regulation) Act, 1976 (President's Act 19 of 1976) within the University area;

(3) One member elected by Headmasters of Higher Secondary Schools in each revenue district within the University area;

(4) Two members elected by registered graduates in each revenue district within the University area from among themselves;

(5) Two members elected by the Members of the Tamil Nadu Legislative Assembly from among themselves and one member elected by the Members of the Tamil Nadu Legislative Council from among themselves;

(6) Not more than eight members nominated by the ¹ [Chancellor] representing

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¹ Substituted for the word 'Pro-chancellor' by section 19 of Bharathidasan University (Amendment) Act, 1985.

- (i) recognised research institutions;
- (ii) recognised cultural associations;
- (iii) Chambers of Commerce;
- (iv) Industries;
- (v) Authors;
- (vi) Journalists;
- (vii) Lawyers;
- (viii) Sports; and

(7) a. ¹ [xx] Six members nominated by the Pro-Chancellor of whom not less than three shall be nominated to secure the representation of the Scheduled Castes and Scheduled Tribes not otherwise adequately represented.

b. ² Provided that a member of the Senate who is elected or nominated in his capacity as, a member of a particular electorate or body, or the holder of a particular appointment, shall cease to be member of the Senate from the date on which he ceases to be a member of the electorate or body, or the holder of that appointment as the case may be.

³ Save as otherwise provided, elected and nominated members of the Senate shall hold office for a period of three years and such members shall be eligible for re-election or re-nomination

¹ expression (a) omitted by section 19 ibid

² substituted under Sec. 2 of part IV of TN Govt. Gazette (extraordinary) dt. 15.6.1992 (PP 39 & 40)

³ Act No.41 of 1998 – An Act further to amend the Tamil Nadu Universities Laws – substituted for Section 20.

¹Provided that a member of the Tamil Nadu Legislative Assembly shall cease to be a member of the Senate from the date on which he cease to be member of the Tamil Nadu Legislative Assembly, provided further that where an elected or nominated member of the Senate is appoint temporarily to any of the offices by virtue of which he is entitled to be a member of the Senate *ex-officio* he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be a member of the Senate by virtue of his election or nomination or whether he will vacate office as such member and become a member *ex-officio* by virtue of his appointment and the choice shall be conclusive. On failure to make such choice, he shall be deemed to have vacated his office as an elected or nominated member.

¹inserted by T.N. Universities Laws (Amendment) Act 1991, T.N. G.G. part IV, Sec. 2, dt. 18.9.91

(c) When a person ceases to be a member of the Senate he shall cease to be a member of any of the authorities of the University of which he may happen to be member by virtue of his membership of the Senate.

21. Senate to review the broad policies and programmes of the University:- Subject to the other provisions of the Act, the Senate shall have the following powers and functions, namely:-

(a) to review, from time to time the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;

(b) to advise the Chancellor in respect of any matter, which may be referred to it for advice; and

(c) to exercise such other powers and perform such other functions as may be prescribed by the statutes.

22. Meetings of the Senate.

(1) The senate shall meet at least twice in every year on dates to be fixed by the Vice- Chancellor. One of such meetings shall be called the annual meeting. The Senate may also meet at such other times as it may, from time to time, determine.

(2) One-third of the total strength of the members of the Senate shall be the quorum required for a meeting of the Senate:

Provided that such quorum shall not be required at a convocation of the Univesity or a meeting of the Senate, held for the purpose of conferring degrees, titles, diplomas or other academic distinctions.

(3) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than fifty percent of the total members of the Senate, convene a special meeting of the Senate;

23. *The Standing Committee on Academic Affairs.*- (1) There shall be a Standing Committee on Academic Affairs of the University '[xx) which shall, subject to the provisions of this Act, the statutes and the ordinances, co-ordinate and exercise general supervision over the academic affairs of the University.

(2) (a) The Standing Committee on Academic Affairs shall in addition to the Vice-Chancellor, consist of the following persons, namely;-

Class I - Ex-officio Members.

- (1) The Director of Collegiate Education;
- (2) The Director of Technical Education;
- (3) The Director of Medical Education;
- (4) The Chairmen of all Boards for Under- graduate and Post graduate courses of studies; and
- (5) The Deans of all Faculties.

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Class /I - Other Members

Two members elected by principals of affiliated Colleges from among themselves in accordance with the system of proportional representation by means of the single transferable vote

¹The words "under the senate" were omitted by section 20 of Bharathidasan University (Amendment) Act, 1985.

(b) The Vice-Chancellor shall be the *ex-officio* Chairman of the Standing Committee on Academic Affairs.

(C) ¹Provided that a member of the Standing Committee on Academic Affairs who is elected or nominated in his capacity as a member of a particular electorate or body or holder of a particular appointment, shall cease to be a member of the Standing Committee on Academic Affairs from the date: on which he ceases to be a member of that electorate or body, or the holder of that appointment, as the case may be.

² (i) The members of the Standing Committee on Academic Affairs, other than the ex-Officio members, shall hold office for a period of three years and such members shall be eligible for re-election.

(ii) Where a member is elected to the Standing Committee on Academic Affairs to a casual vacancy, the period of office held for not less than one year by any such member shall be construed as a full period of three years for the purpose of this clause.

Explanation.- For the purpose of this clause, the expression "period" shall include the period held prior to the date of the publication of the Tamil Nadu Universities Laws (Second Amendment) Act, 1991, in the Tamil Nadu Government Gazette.

¹ substituted under section 2 of part IV of the Tamil Nadu Govt. Gazette (Extraordinary) dated 26.12.1992 PP 39,40,83 & 84.

² Act No.41 of 1998 – An Act further to amend the Tamil Nadu Universities Laws – substituted for Section 23.

Provided further that where an elected member of the Standing Committee on Academic Affairs appointed temporarily to any of the offices by virtue of which he is entitled to be a member of the Standing Committee on Academic Affairs *ex-officio*, he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be a member of the Standing Committee on Academic Affairs by virtue of his election or whether he will vacate office as such member and become a member *ex-officio* by virtue of his appointment and the choice shall be conclusive. On failure to make such a choice, he shall be deemed to have vacated his office as an elected member.

(d) The members of the Standing Committee on Academic Affairs shall not be entitled to receive any remuneration from the University except such daily and travelling allowances as may prescribed:

Provided that nothing contained in this clause shall preclude any member from drawing his normal emoluments to which he is entitled by virtue of the office he holds.

(e) A member of the Standing Committee on Academic Affairs other than *ex-officio* member, may tender resignation of his membership at any time before the term of his office expires. Such resignation shall be conveyed to the Chancellor by a letter in writing by the member, and the resignation shall take effect from the date of its acceptance by the Chancellor.

(3) The powers and duties of the Standing Committee on Academic Affairs shall be such as may be prescribed by the statutes.

Bharathidasan University Act, 1981 [1982: T.N. Act 2

**CHAPTER IV
THE SYNDICATE**

24. *The Syndicate.*- (a) The Chancellor shall as soon as may be, after the first Vice-Chancellor is appointed under section 54 constitute the Syndicate.

(b) The Syndicate shall, in addition to the Vice-Chancellor, consist of the following persons, namely:-

Class I - Ex-officio Members

(1) The Secretary to Government, in-charge of Education;

¹(1-A) The Secretary to Government in-charge of Health and Family Welfare;

¹(1-AA) The Secretary to Government in-charge of Law;

(2) The Director of Collegiate Education;

(3) The Director of Technical Education; [²]

(4) The Director of Medical Education; and ³

¹(5)The Director of Legal Studies.

Class /I - Other Members

⁴(1) Two members elected by principals of affiliated colleges from among themselves in accordance with the

¹ Items (1-A), (1-AA) and 5 were inserted by section 5 of Tamil Nadu Universities Laws (Amendment) Act 1986,

² The word 'and' was omitted by *ibid*.

³ The word 'and' was added by section *ibid*.

⁴ Items (1) to (7) were substituted for the original by section 21 of Bharathidasan University (Amendment) Act, 1985,

System of proportional representation by means of the single transferable vote;

(2)' Two members elected by teachers of affiliated colleges, other than principals, from among themselves who are members of the Senate, in accordance with the system of proportional representation by means of the single transferable vote;

Explanation- For the purpose of this item 'teachers' shall mean those teachers elected to the Senate, by the teachers of the affiliated colleges from among themselves.

(3) One University Professor for every ten Heads of Departments of study and research, schools of excellence or centres of advanced studies or part thereof, to be nominated by rotation among such Departments, schools and centres by the Chancellor on the recommendation of the Vice Chancellor;

(4) One member, not falling under any of the above three categories, elected by the Senate from among Its members;

(5) Three members from among the Academic Experts to be nominated by the Chancellor;

(6) One University Reader to be nominated by the Vice-Chancellor by rotation according to seniority; and

(7) One University Lecturer to be nominated by the Vice-Chancellor by rotation according to seniority.

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(c) The Vice-Chancellor shall be the *ex-officio* Chairman of the Syndicate.

(d) In case the 1 [the Secretary to Government in-charge of Education, or the Secretary to Government in-charge of Health and Family welfare, or the Secretary to Government in-charge of law] is unable to attend the-meetings of the Syndicate for any reason he may depute any officer of his Department not lower in rank than that of a Deputy Secretary to attend the meetings.

(e) 2 [Provided that a member of the Syndicate who is elected or nominated in his capacity as a member of a particular electorate or body, or the holder of a particular appointment, shall cease to be a member of the Syndicate from the date on which he ceases to be a member of that electorate or body, or the holder of that appointment, as the case may be.]

3 (i) save as otherwise provided, the members of the Syndicate, other than the *ex-officio* members, shall hold office for a period of three years and such members shall be eligible for re-election or re-nomination.

(ii) Where a member is elected or nominated to the Syndicate to a casual vacancy, the period of office held for not less than one year by any such member shall be construed as a full period of three years for the purpose of this clause.

¹ substituted for the original by section 5 of Bharathidasan University Laws (Amendment) Act, 1986.

² inserted by Sec. 2 of part IV of T.N. Govt. Gazette (Extraordinary), dated 15.6.1992 (PP 83 & 84)

³ Act No.41 of 1998 – An Act further to amend the Tamil Nadu Universities Laws – substituted for Section 24.

Explanation.- For the purpose of this clause, the expression "period" shall include the period held prior to the date of the publication of the Tamil Nadu Universities Laws (Second Amendment) Act, 1991, in the Tamil Nadu Government Gazette":]

Provided further that where an elected or nominated member of the Syndicate is appointed temporarily to any of the offices by virtue of which he is entitled to be member of the Syndicate *ex-officio*, he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his charge of his appointment, choose whether he will continue to be member of the Syndicate by virtue of his election or nomination or whether he will vacate office as such member and become a member *ex-officio* by virtue of his appointment and the choice shall be conclusive. On failure to make such choice, he shall be deemed to have vacated his office as an elected or nominated member.

(f) When a person ceases to be a member of the Syndicate, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Syndicate.

(g) The members of the Syndicate shall not be entitled to receive any remuneration from the University except such daily and travelling allowance as may be prescribed :

Provided that nothing contained in this clause shall preclude any member from drawing his normal emoluments to which he is entitled by virtue of the office he holds.

(h) A member of the Syndicate, other than *ex-officio* member; may tender resignation of his membership at any time before the term of his office expires. Such resignation shall be conveyed to the Chancellor by a letter in writing by the member, and the resignation shall take effect from the date of its acceptance by the Chancellor.

¹ [Notwithstanding anything contained in the 1923 Act, the 1929 Act, the 1978 Act, Tamil Nadu Act of 1982, Tamil Nadu Act 2 of 1982, Tamil Nadu act 9 of 1982, the 1984 Act or the 1985 Act as amended this Act, or in any other law for the time being in force or in any judgement, decree or order of a court, the term of office of every member (whether elected or nominated) of the Senate, the Syndicate, the Academic Council, the Standing Committee on Academic Affairs, the Academic Committee or the Executive Council, as the case may be, of the Madras University, the Annamalai University, the Madurai-Kamaraj University, the Anna University, the Bharathiar University, the Bharathidasan University, the Tamil University, Mother Teresa Women's University, or the Alagappa University, as the case may be, who has held office as a member in anyone or more of the aforesaid authorities of the University concerned for a total period of six years and holding office as such member immediately before the date of the publication of this Act in the Tamil Nadu Government Gazette, shall expire on the date of the publication of this Act in the Tamil Nadu Government Gazette, and every such member shall vacate his office on and from the date of such publication.]

25. *Powers of the Syndicate* .- (a) the Syndicate shall have the following powers, namely:

¹ special provision inserted part XII of TN Govt. Gazette, Extraordinary, dated 27.2 1992 (P 46)

(1) to make statutes and amend or repeal the statutes; [']

(2) to make ordinances and amend or repeal the same;

(3) to co-operate with other Universities, other academic authorities and colleges in such manner and for such purposes as it may determine;

(4) to provide for instruction and training in such branches of learning as it may think fit;

(5) to prescribe (2) the conditions for approving colleges or institutions in which provision is made for the preparation of students for titles or diplomas of the University and to withdraw such approval;

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(6) to provide for research and advancement and dissemination of knowledge;

(7) to institute (3) lecturerships, readerships, professorships and any other teaching posts required by the University;

(8) to prescribe (4) the conditions for affiliating colleges to University and to withdraw affiliation from colleges;

(9) to prescribe (5) the manner in which and

¹ The words "except the first statutes" omitted by section 17 of Bharathidasan University (Amendment) Act 1986.

⁽²⁾(4) & (5) the words "in consultation with the SCAA" were omitted by section 22 of Bharathidasan University (Amendment) Act, 1985.

⁽³⁾ the words "after consultation with the SCAA" were omitted by section *ibid*.

the conditions subject to which a college may be designated as an autonomous college and such designation may be cancelled;

(10) to provide (1) for such lectures and instructions for students of University colleges, affiliated colleges and approved colleges as the Senate may determine and also to provide for lectures and instructions to persons not being students of colleges and to grant diplomas to them;

(11) to institute degrees, titles, diplomas and other academic distinctions;

(12) to confer degrees, titles, diplomas and other academic distinctions on persons who-

(a) shall have pursued an approved course of study in University college or laboratory or in an affiliated or approved college or have been exempted there from in the manner prescribed and shall have passed the prescribed examinations of the University;

(b) shall have carried on research under conditions prescribed;

I/

(13) to confer honorary degrees or other distinctions on the recommendation of not less than two-thirds of the members of the Syndicate;

(14) to establish and maintain hostels;

(¹) the words "after consultation with the SCAA" were omitted by section *ibid*.

(15) to institute ⁽¹⁾ fellowships, travelling fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes;

(16) to prescribe the fees to be charged for the approval and affiliation of colleges, for admission to the examinations, degrees, and diplomas of the University, for the registration of graduates, for the renewal of such registration and for all or any of the purposes specified in section 4;

(17) to consider and take such action as it may deem fit on the annual report, the annual accounts and the financial estimates;

(18) to institute, ⁽²⁾ a University Extension Board and to maintain it;

(19) to institute ⁽³⁾ a publication bureau, student's unions, employment bureau and University athletic clubs and to maintain them;

(20) to enter into any agreement with the Central or any State Government or with a private management for assuming the management of any institution and for taking over its properties and liabilities or for any other purposes not repugnant to the provisions of this Act;

(21) to make statutes regulating the method of election to the authorities of the University and the procedure at the meeting of the Senate, Syndicate and other authorities

⁽¹⁾ ,⁽²⁾ & ⁽³⁾ the words "after consultation with the SCAA" were omitted by section 22 of B. U. (Amendment) Act, 1985.

of the University and the quorum of members required for the transaction of business by the authorities of the University other than the Senate;

(22) to recommend to the Government the recognition of an area within the University area as University Centre;

(23) to hold, control and administer the properties and funds of the University;

(24) to direct the form, custody and use of the common seal of the University;

(25) to regulate and determine all matters concerning the University in accordance with this Act, the statutes, the ordinances and the regulations;

(26) to administer all properties and funds placed at the disposal of the University for specific purposes;

(27) (a) to appoint the University Lecturers, University Readers, University Professors and the teachers of the University, fix their emoluments, if any, define their duties and the conditions of their services and provide for filling up of temporary vacancies;

(b) to make ordinances specifying the mode of appointment of administrative and other similar posts and fix their emoluments, if any define their duties and the conditions of their services and provide for filling up of temporary vacancies;

(28) to suspend and dismiss the -University Lecturers,

University Readers, University Professors and teachers and other employees of the University;

(29) to accept on behalf of the University, endowments, bequests, donations, grants and transfers of any movable and immovable properties made to it :

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Provided that, all such endowments, bequests, donations, grants and transfers shall be reported to the Senate at its next meeting ;

(30) (i) to raise, on behalf of the University, loans from the Central or any State Government' [xx] or the public or any Corporation owned or controlled by the Central or any State Government;

(ii) to borrow money with the approval of the Government on the security of the property of the University for the purposes of the University;

(31) to affiliate colleges within the University area to the University and to recognise colleges as approved colleges;

(32) to designate any college as an autonomous college with the concurrence of the Government and to cancel such designation;

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(33) to recognise hostels not maintained by the University and to suspend or withdraw recognition of any hostel which is not conducted in accordance with the

¹ [xx] The words 'or the University Grants Commission' were omitted by section 22 of B.U. (Amendment) Act, 1985

ordinances and the conditions imposed there under;

(34) to arrange for, and direct, the inspection of all University colleges, affiliated and approved colleges and hostels;

(35) to prescribe,' [xx] the qualifications of teachers in University Colleges, affiliated and approved colleges and hostels;

(36) to award fellowships, travelling fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes in accordance with the statutes;

(37) to charge and collect such fees as may be prescribed ;

(38) to conduct the University examinations and approve and publish the results thereof;

(39) to make ordinances regarding the admission of the students to the University or prescribing examinations to be recognised as equivalent to University examinations;

(40) to appoint members to the Boards of Studies;

(41)(i) to appoint examiners, after consideration of the recommendations of the Boards of Studies; and

(ii) to fix their remuneration;

¹[xx) The words 'in consultation with the SCAA' were omitted by section 22 of B.U, (Amendment) Act, 1985

(42) to supervise and control the residence and discipline of the students of the University and make arrangements through the colleges for securing their health and well-being ;

(43) to institute and manage University Centres, University colleges and laboratories, libraries, museums, institutes of research and other institutions established or maintained by the University;

(44) to manage hostels instituted by the University;

(45) to regulate the working of the University Extension Board;

(46) to manage any publication bureau, student's unions, employment bureau and University athletic clubs instituted by the University;

(47) to review the instruction and teaching of the University;

(48) to promote research within the University and to require reports, from time to time, of such research;

(49) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act or the statutes, ordinances or regulations; and

(50) to delegate any of its powers to the Vice-Chancellor, to a committee from among its own members or to a committee appointed in accordance with the statutes.

1[(b)] The Syndicate may consult the Standing Committee on Academic Affairs in respect of any academic matter, where it considers such consultation is necessary.]

26. Meeting of the Syndicate:- (1) The Syndicate shall meet at such times and places and shall, subject to the provisions of sub-sections (2) and (3) observe such rules of procedure in regard to transaction of business at its meetings including the quorum at meetings as may be prescribed:

Provided that the Syndicate shall meet at least once in every three months.

(2) The Vice-Chancellor or in his absence any member chosen by the members present, shall preside at a meeting of the Syndicate.

(3) All questions at any meeting of the Syndicate shall be decided by a majority of the votes of the members present and voting and in the case of an equality of votes, the Vice-Chancellor or the members presiding, as the case may be, shall have and exercise a second or casting vote.

(4) (a) The Syndicate may, for the purpose of consultation, invite any person having special knowledge or practical experience in any subject under consideration to attend to any meeting. Such person may speak in , and otherwise take part in the proceedings of such meetings but shall not be entitled to vote;

¹ This clause (b) was inserted by section 22 of Bharathidasan University (Amendment) Act, 1985

(b) The person so invited shall be entitled to such daily and travelling allowances as are admissible to a member of the Syndicate.

27. Annual Report.- The annual report of the University shall be prepared by 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 next annual meeting. The Senate may pass resolutions thereon and communicate the same to the Syndicate which shall take action in accordance therewith. The Syndicate shall inform the Senate of the action taken by it. A copy of the report with a copy of the resolutions thereon, if any, of the Senate shall be submitted to the Government for information.

28. Annual accounts.- (1) The annual accounts of the University shall be submitted to such examination and audit as the Government may direct.

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

(3) The accounts when audited shall be published by the Syndicate in such manner as may be prescribed by the ordinances and copies thereof shall be submitted to the Senate at its next meeting and to the Government within three months of such publication.

CHAPTER V

THE FACULTIES, THE BOARDS OF STUDIES, THE FINANCE COMMITTEE AND OTHER AUTHORITIES.

29. Constitution and functions of Faculties.- (1) The University shall include Faculties of Arts, Science, Law, Medicine, Engineering and Technology, Education, Commerce, Indian and other languages, Indian systems of Medicine, Fine Arts and such other Faculties as may be prescribed by the statutes.

(2) The constitution and functions of the Faculties shall, in all other respects, be such as may be prescribed by the regulations:

¹ [xx]

(3) Notwithstanding anything contained in sub-section (2), the Standing Committee on Academic Affairs may, on the recommendations of the Syndicate, appoint any teacher of the University as a member of a Faculty.

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(4) Each Faculty shall comprise such departments of teaching as may be prescribed by the ² [xx] statutes.

30. The Boards of Studies.- There shall be Boards of Studies attached to each department of teaching. The constitution and powers of the Boards of Studies shall be such as may be prescribed by the ordinances.

¹ [xx] The proviso in sub-section(2) was omitted by section 23 of Bharathidasan University (Amendment) Act, 1985

² [xx] The word (first) was omitted by section 18 of Bharathidasan University (Amendment) Act, 1986.

31. *Constitution of other authorities.* – The constitution of such other bodies as may be declared by the statutes to be authorities of the University shall be provided for in the manner prescribed.

32. *Finance Committee.*- (1) The Finance Committee shall consist of the following members, namely:-

- i) The Vice-Chancellor;
- (ii) The Secretary to Government in-charge of Finance;
- (iii) The Secretary to Government in-charge of Education;
- (iv) Three members nominated by the Syndicate from among its members of whom one shall be a Professor and one shall be a person nominated to the Syndicate by the Chancellor.

(2) If for any reason the officer referred to in clause (ii) or clause (iii) of sub-section (1) is unable to attend any meeting of the Finance Committee, he may depute any officer of the Department concerned not lower in rank than that of a Deputy Secretary to Government to attend such meeting. The officer so deputed shall have the right to take part in the discussions of the Committee and shall have the right to vote.

(3) The Vice-Chancellor shall be the *ex-officio* Chairman and the Finance Officer shall be the *ex-officio* Secretary of the Finance Committee.

(4) All the members of the Finance Committee, other than the *ex-officio* members, shall hold office for a period of three years.

(5) The Finance Committee shall meet at least twice in every year to examine the accounts and to scrutinize proposals for expenditure.

(6) The annual accounts of the University prepared by the Finance officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Syndicate for approval.

(7) The Finance Committee shall recommend limits for the total recurring expenditure and the total nonrecurring expenditure for the year based on the income and resources of the University which, in the case of productive works, may include the proceeds of loans;

(8) The Finance Committee shall –

(a) review the - financial position of the University from time to time;

(b) make recommendation to the Syndicate on every proposal involving investment or expenditure for which no provision has been made in the annual financial estimates or which involves expenditure in excess of the amount provided for in the annual financial estimates;

(c) prescribe the methods and procedure and forms for maintaining the accounts of the University and colleges;

(d) make recommendation to the Syndicate on all

matters relating to the finances of the University; and

(e) perform such other functions as may be prescribed.

(9) The financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments. The said estimates as modified by the Finance Committee, shall then be laid before the Syndicate for consideration.

The Syndicate may accept the modifications made by the Finance Committee.

CHAPTER VI

STATUTES, ORDINANCES AND REGULATIONS

(33) *Statutes*:- Subject to the provisions of this Act, the statutes may provide for all or any of the following matters, namely:-

(i) the holding of convocation to confer degrees;

(ii) the conferment of honorary degrees and academic distinctions;

(iii) the constitution, powers and functions of the authorities of the Universities;

(iv) the manner of filling vacancies among members of the authorities;

(v) the allowances to be paid to the members of the authorities and committees thereof;

(vi) the procedure at meetings of the authorities including the quorum for the transactions of business at such meetings;

(vii) the authentication of the orders of decisions of the authorities .

(viii) the formation of departments of teaching at the University and the University colleges;

(ix) the term of office and methods of appointment and conditions of service of the officers of the University other than the Chancellor and the Pro-Chancellor;

(x) the qualifications of the teachers and other persons employed by the University;

(xi) the classification, the method of appointment and determination of the terms and conditions of service of teachers and other persons employed by the University;

(xii) the institution of pension, gratuity, insurance or provident fund for the benefit of the officers, teachers and other persons employed by the university ;

(xiii) the institution of fellowships, travelling fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes and the conditions of award thereof.

(xiv) the establishment and maintenance of halls, hostels and laboratories;

(xv) the conditions for residence of students of the University in the halls and hostels and the levy of fees and other charges for such residence;

(xvi) the conditions of registration of graduates and the maintenance of register thereof;

(xvii) the conditions of recognition of approved colleges and of affiliation to the University of affiliated colleges;

(xviii) the manner in which, and the conditions subject to which, a college may be designated as an autonomous college or the designation of such college may be cancelled and the matters incidental to the administration of autonomous colleges including the constitution or reconstitution, powers and duties of Standing Committee on Academic Affairs, Staff Council, Boards of Studies and Boards of Examiners;

(xix) the delegation of powers vested in the authorities or officers of the University; and

(xx) any other matter which is required to be or may be prescribed by the statutes.

34. Statutes, how made. - ¹ [xx]

(2) The Syndicate may, from time to time, make statutes and amend or repeal the statutes 2[XX] in the manner hereinafter provided in this section.

(3) The Standing Committee on Academic Affairs, may propose to the syndicate the draft of any statutes to be passed by the Syndicate and such draft shall be considered by the Syndicate at its next meeting:

¹ [xx] Sub-section (1) was omitted by section 19 Bharathidasan University Amendment Act, 1986

² [xx] The words "except the first statutes" were omitted by section ibid.

¹[(3) Provided that the Standing Committee on Academic Affairs shall not propose the draft of any statute or of any amendment to a statute relating to matters other than academic affairs.]

(4) The Syndicate may consider the draft proposed by the Standing Committee on Academic Affairs under subsection (3) and may either pass the draft statute or reject or return it with or without amendments to the Standing Committee on Academic Affairs for reconsideration.

(5) (a) Any member of the Syndicate may propose to the Syndicate the draft of a statute and the Syndicate may either accept or reject the draft, if it relates to a matter not falling within the purview of the Standing Committee on Academic Affairs.

(b) In case such draft relates to a matter within the purview of the Standing Committee on Academic Affairs, the Syndicate shall refer it for consideration to the Standing Committee on Academic Affairs, which may after following the procedure laid down in the proviso to sub-section (3) either report to the Syndicate that it does not approve the draft or submit the draft to the Syndicate in such form as the Standing Committee on Academic Affairs may approve and the Syndicate may either pass with or without amendment or reject the draft.

(6) A statute passed by the Syndicate shall be submitted to the Chancellor who may assent or thereto or withhold his assent. A statute passed by the Syndicate shall

¹ Sub-section 3 substituted for the original by section 24 of Bharathidasan University (Amendment), Act. 1985.

have no validity until it has been assented to by the Chancellor.

35. *Ordinances.*- Subject to the provisions of this Act, and the statutes, the ordinances may provide for all or any of the following matters, namely:-

(i) the admission of the students to the University and its approved or affiliated colleges and the levy of fees in University colleges and laboratories;

(ii) the courses of study leading to all degrees, titles, diplomas and other academic distinctions of the University;

(iii) the conditions of residence of students of the University and the levy of fees for residence in hostels maintained by the University;

(IV) the conditions of recognition of hostels not maintained by the University;

(v) the conditions under which the students shall be admitted to the courses of study leading to degrees, titles, diplomas and other academic distinctions of the University;

(vi) the conduct of examinations of the University and the conditions on which students shall be admitted to such examinations;

(vii) the manner in which exemption relating to the admission of students to examinations may be given;

(viii) the conditions and mode of appointment and

duties of examining bodies and examiners;

(ix) the maintenance of discipline among the students of the University;

(x) the fees to be charged for courses of study, research, experiment and practical training and for admission to the examinations for degrees, titles, diplomas and other academic distinctions of the University;

(xi) the qualification and emoluments of teachers of the University;

(xii) the conditions subject to which persons who may hereafter be permanently employed may be recognised as qualified to give instruction in affiliated and approved colleges and hostels; and

/

(xiii) any other matter which by this Act, or the statutes is to be made or may be provided for by an ordinance.

36. Ordinances, how made.- (1) In making ordinances, the Syndicate shall consult –

(i) the Boards of Studies when such ordinances affect the appointment and duties of examiners; and

(ii) the Standing Committee on Academic Affairs when they affect the conduct or standard of examinations, or the conditions of residence of students.

(2) All ordinances made by the Syndicate shall have effect from such date as it may direct, but every ordinance so made shall be submitted as soon as may be to the Chancellor and the Senate and shall be considered by the Senate at its next succeeding meeting.

(3) The Chancellor may direct that the operation of any ordinance shall be suspended until such time as the Senate has had an opportunity of considering the same.

37. Regulations, how made:- (1) The Standing Committee on Academic Affairs may make regulations consistent with this Act, the statutes and the ordinances to carry out the duties assigned to it thereunder.

(2) All such regulations shall have effect from such date as the Standing Committee on Academic Affairs may direct but every regulation so made shall be submitted as soon as may be to the Senate for its consideration at its next succeeding meeting.

CHAPTER VII

ADMISSION AND RESIDENCE OF STUDENTS.

38. Admission to University Courses.- (1) No person shall be admitted to a course of study in the University for admission to the examinations for degrees or titles or diplomas of the University unless he –

(i) has passed the examination prescribed therefor; and

(ii) fulfils such other conditions as may be prescribed by the University.

(2) Every candidate for a University examination shall, unless exempted from the provisions of this sub-section by a special order of the Syndicate made on the recommendation of the Standing Committee on Academic Affairs, be enrolled as a member of a University college or laboratory or of an affiliated or approved college. Any such exemption may be made subject to such conditions as the Syndicate may think fit.

(3) Students exempted from the provisions of subsection (2) and students admitted, in accordance with the condition prescribed, to courses of study other than courses of study for a degree shall be non-collegiate students of the University.

39. Admission to University examinations. - No candidate shall be admitted to any University examination unless he is enrolled as a member of a University college or laboratory or of an affiliated or approved college and has satisfied the requirements as to the attendance required under the regulations for the same or unless he is exempted from such requirements of enrolment or attendance or both by an order of the Syndicate passed on the recommendation of the Standing Committee on Academic Affairs made under the regulations prescribed. Exemptions granted under this section shall be subject to such conditions as the Syndicate may think fit.

40. Attendance qualifying for University examination .- No attendance at instruction given in any college or institution other than that conducted, affiliated or approved by the University shall qualifying for admission to any examination of the University.

41. Residence and hostels:- Every student of the University other than a non-collegiate student shall be required to reside in a hostel or under such other conditions as may be prescribed

CHAPTER VIII

UNIVERSITY FUNDS

42. General Funds:- The University shall have a General Fund to which shall be credited-

- (a) its income from fees, grants, donations and gifts, if any;
- (b) any contribution or grant made by the Central Government, State Government, the University Grants Commission or like authority, any local authority or any corporation owned or controlled by the Government; and
- (c) Endowments and other receipts.

CHAPTER IX

CONDITIONS OF SERVICE

43. Pension, gratuity, etc.- (1) The University shall institute for the benefit of its officers, teachers and other persons employed by the University, such pension, gratuity, insurance and provident fund as it may deem fit, in such manner and subject to such conditions, as may be prescribed.

(2) Where the University has so instituted a Provident Fund under sub-section (1), the Government may declare that the provisions of the Provident Funds Act, 1925 (Central Act XIX of 1925), shall apply to such fund as if the

University were a local authority and the fund a Government Provident Fund.

(3) The University may, in consultation with the Finance committee, invest the provident fund amount in such manner, as it may determine.

44. Conditions of Service:- Subject to the provisions of this Act, the appointment, procedure for selection, pay and allowances and other conditions of service of officers, teachers and other persons employed in the University shall be such as may be prescribed.

Explanation.- For the purpose of this section, the word "officers" shall not include the Chancellor and the Pro-Chancellor.

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¹[44. -A. *Selection Committees.-* (1) There shall be Selection Committees for making recommendations to the Syndicate for appointment to the posts of Professor, Assistant Professor, Reader, Lecturer and Librarian of institutions maintained by the University.

(2) The Selection Committee for appointment to the posts specified in column (1) of the Table below shall consist of the Vice-Chancellor, a nominee of the Chancellor, a nominee of the Government and the persons specified in the corresponding entry in column (2) of the said Table and in the case of appointment of a Professor, Assistant Professor, Reader or Lecturer in a department

¹ The new section 44-A was inserted by section 20 of Bharathidasan University (Amendment) Act, 1986.

where there is no Head of the Department, shall also consist of a person nominated by the Standing Committee on Academic Affairs from among its members:-

THE TABLE

(1)	(2)
Professor, Assistant Professor or Reader.	(i) The Head of the Department concerned, if he is Professor; (ii) One Director or a Dean or a Professor to be nominated by the Vice-Chancellor; (iii) Three persons not in the service of the University, nominated by the Syndicate, from out of a panel of names recommended by the Standing Committee on Academic Affairs for their special knowledge of or interest in, the subject with which the Professor, Assistant Professor or Reader will be concerned.
Lecturer	(i) The Head of the Department concerned;

(ii) One Professor to be nominated by the Vice-Chancellor;

(iii) Two persons not in the service of the University, nominated by the Syndicate, from out of a panel of names recommended by the Standing Committee on Academic Affairs for their special knowledge of. or interest in the subject with which the Lecturer will be concerned

Librarian (i) Two persons not in the service of the University, who have special knowledge of the subject of Library Science or Library Administration to be nominated by the Syndicate;

(ii) One person, not in the service of the University, nominated by the Syndicate.

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*Explanation I :-*Where the appointments are being made for an inter-disciplinary project, the Head of the project shall be deemed to be Head of Department concerned.

Explanation II :- The Professor to be nominated shall be the Professors concerned with the speciality for which the selection is being made and that the Vice-Chancellor shall consult the Head of the Department and the Dean of Faculty before nominating the Professor.

Explanation III :- At least three out of four or two out of three members, as the case may be, concerned with the specialty referred to under column (2) shall be present at the Selection Committee Meeting.

(3) The Vice-Chancellor shall preside at the meetings of a Selection Committee.

(4) The meetings of a Selection Committee shall be convened by the Vice-Chancellor.

(5) The procedure to be followed by a selection Committee in making recommendations shall be laid down in the ordinances.

(6) If the Syndicate is unable to accept the recommendations made by a Selection Committee, it shall record its reasons and submit the case to the Chancellor for final orders.

(7) Appointments to temporary posts shall be made in the manner indicated below :-

(i) If the temporary vacancy is for a duration longer than one academic session, it shall be filled on the advice of the Selection Committee in accordance with the procedure indicated in the foregoing provisions:

Provided that if the Vice-Chancellor is satisfied that in the interest of work it is necessary to fill the vacancy, the appointment may be made on a temporary basis by a local Selection Committee referred to in sub-clause (ii) for a period not exceeding six months;

(ii) If the temporary vacancy is for a period less than a year, an appointment to such vacancy shall be made on the recommendation of a local Selection Committee consisting of the Dean of the Faculty concerned, the Head of the Department and a nominee of the Vice-Chancellor:

Provided that if the same person holds the offices of the Dean and the Head of the Department, the Selection Committee may consist of two nominees of the Vice-Chancellor:

Provided further that in case of sudden casual vacancies in teaching posts caused by death or any other reason the Dean may, in consultation with the Head of the Department concerned, make a temporary appointment for a month and report to the Vice-Chancellor and the Registrar about such appointment;

(iii) No teacher appointed temporarily shall, if he is not recommended by a regular Selection Committee or appointment under this Act, be continued in service on such temporary employment unless he is subsequently selected by a local Selection Committee or a regular Selection Committee, for a temporary or permanent appointment, as the case may be.]

"44-8. Application of certain rules to the officers, teachers and employees of the University- (1) The provisions of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955, the Tamil Nadu Government Servants' Conduct Rules, 1973 and such other rules as the Government may direct shall, with such modification as may be required, apply to the officers (other than the Chancellor and the Pro-Chancellor), teachers and employees of the University.

(2) If any question arises on the application of any provision of the rules referred to in sub-section (1) to the officers (other than the Chancellor and the Pro-Chancellor), teachers and employees of the University, the question shall be referred to the Syndicate whose decision thereon shall be final."

45. Terms and conditions of service of Heads of Departments:-

1) Each Department of the University shall have a Head who shall be a Professor or Director and whose duties and functions and terms and conditions of appointment shall be prescribed by the ordinances. Provided that if there is more than one Professor in any Department the Head of the Department shall be appointed

in the manner prescribed by the ordinances;

Provided further that in a Department where there is no Professor, and Assistant Professor or a Reader may be appointed as Head of the Department in the manner prescribed by the ordinances.

(2) It shall be open to a Professor or Assistant Professor or Reader to decline the offer of appointment as Head of the Department.

(3) A person appointed as Head of the Department shall hold office as such for a period of three years and shall be eligible for reappointment.

(4) A Head of the Department may resign his office at any time during his tenure of office.

(5) A Head of the Department shall perform such functions as may be prescribed by the ordinances.

¹[46. *Deans of Faculties* :- (1) Every Dean of Faculties shall be appointed by the Vice-Chancellor from among the Professors in the Faculty for a period of three years and he shall be eligible for reappointment:

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Provided that a Dean on attaining the age of fifty eight years shall cease to hold office as such:

Provided further that, if at any time there is no Professor in a Faculty, the Vice-Chancellor shall exercise

¹ Substituted for the original by section 21 of Bharathidasan University (Amendment) Act, 1986.

the powers of the Dean of the Faculty.

(2) When the office of the Dean is vacant or when the Dean is by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of his office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(3) The Dean shall be the Head of the Faculty and shall be responsible for the conduct and maintenance of the standards of teaching and research in the Faculty. The Dean shall have such other functions as may be prescribed by the ordinances.

(4) The Dean shall have the right to be present and to speak at any meeting of the Boards of Studies or Committees of the Faculty, as the case may be, but shall not have the right to vote thereat unless he is a member thereof.

CHAPTER X MISCELLANEOUS

47. Filing 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 or which nominated or elected the member whose place has become vacant and the person nominated or elected 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 ;

Provided that vacancies arising by efflux of time among elected members of any authority or other body

of the University may be filled at elections which may be fixed by the Vice-Chancellor to take place on such days not earlier than two months from the date on which the vacancies arise as he thinks fit :

Provided further that no casual vacancy shall be filled if such vacancy occurs within six months before the date of the expiry of the term of the member of any authority or other body of the University.

48. Proceedings of the University authority and bodies not invalidated by vacancies :- No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of any vacancy or of any defect or irregularity in the election or appointment of a member of any authority or other body of the University or of any defect or irregularity in such act or proceeding not affecting the merits of the case or on the ground only that the Senate did not meet twice in any year.

49. Removal from membership of the University:- (1) The Syndicate may.

(a) on the recommendation of not less than two thirds of the members of the Syndicate, remove by an order in writing made in this behalf the name of any person from the register of graduates; or

(b) remove by an order in writing made in this behalf any person from membership of any authority or the University by a resolution passed by a majority of the total membership of the Syndicate and by a majority of not less than two thirds of the members of the Syndicate present and voting at the meeting. if such person has been

convicted by a criminal court for an offence which in the opinion of the Syndicate involves moral turpitude or if he has been guilty of gross misconduct and for the same reason the '[Syndicate] may withdraw any degree or diploma conferred on or granted to that person by the University.

(2) The Syndicate may also by an order in writing made in this behalf remove any person from the membership of any authority of the University if he becomes of unsound mind or deaf-mute or suffers from leprosy or has applied to be adjudicated or has been adjudicated as an insolvent.

(3) No action under this section shall be taken against any person unless he has been given a reasonable opportunity to show cause against the action proposed to be taken.

(4) A copy of every order passed under sub-section (1) or sub-section (2) as the case may be, shall as soon as may be after it is so passed, be communicated to the person concerned in the manner prescribed by regulations.

50. Disputes as to constitutions of University authorities and bodies;

If any question arises whether any person has been duly elected or nominated as, or is entitled to be a member of any authority of the University or other body of the University, the question shall be referred to the Chancellor whose decision thereon shall be final.

51. Constitution of committees- All the authorities of the University shall have power to constitute or reconstitute

¹ Substituted for the word "Senate" by section 25 of Bharathidasan University (Amendment) Act, 1985.

committees and to delegate to them such of their powers as they deem fit. Such committees shall have 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.

52. Power to obtain information:- Notwithstanding anything contained in this Act, or any other law for the time being in force, the Government may, by order in writing, call for any information from the University on any matter relating to the affairs of the University and the University shall if such information is available with it, furnish the Government with such information within a reasonable period:

Provided that in the case of information which the University considers confidential, the University may place the same before the '[Chancellor and Pro-Chancellor]

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**52-A Power to give directions -* The Government may, from time to time issue such directions to the University, as they may deem fit. and it shall be the duty of the University to comply with such directions."

53. Registration of graduates:- (1) On and after the notified date every person ordinarily resident within the University area, who-

(i) has been for at least three years a graduate of any University in the territory of India; or

(ii) is a registered graduate of any University in the territory of India, shall be entitled to have his name entered in the register of graduates maintained under this Act, for a period of five years on payment of such fee and subject to such conditions as may be prescribed by the statutes.

'Substituted for the word "Pro-Chancellor" by section 26 of Bharathidasan Universtiy (Amendment) Act. 1985.

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(2) All applications for registration under sub-section (1) shall be sent to the Registrar together with the prescribed fee and such proof of qualification as may be prescribed by the statutes.

(3) The Registrar shall, on receipt of an application made under sub-section (2) and after making such enquiry as he deems fit. enter in the register of graduates the name of the applicant.

(4) Every person whose name has been entered in the register of graduates under sub-section (3) shall be entitled to have such entry renewed every five years on application made in that behalf to the Registrar within such time, in such manner and on payment of such fee as may be prescribed by the statutes.

54. Appointment of the first Vice-Chancellor:-

Notwithstanding anything contained in sub-section (1) of section 12, within three months from the date of publication of this Act in the Tamil Nadu Government Gazette, the first Vice-Chancellor shall be appointed by the Government on a salary to be fixed by them for a period not exceeding three years and on such other conditions as they think fit :

Provided that a person appointed as first Vice-Chancellor shall retire from office, if , during the term of his office, he completes the age of sixty-five years.

55. Appointment of the first Registrar:- Notwithstanding anything contained in sub-section (1) of section **14** within three months from the date of publication of this Act in the Tamil Nadu Government Gazette, the first Registrar shall be appointed by the Government on a salary to be fixed by

them for a period not exceeding three years and on such other conditions as they- think fit :

Provided that the person appointed as first Registrar shall retire from office, if during the term of his office, he completes the age of fifty-eight years.

56. Transitory powers of the first Vice-Chancel/or.- (1) It shall be the duty of the first Vice-Chancellor to make arrangements for constituting the Senate, the Syndicate and the Standing Committee on Academic Affairs and such other authorities of the University within six months after the notified date or such longer period not exceeding one year as the Government may, by notification, direct.

(2) The first Vice-Chancellor shall, in consultation with the Government, make such rules as may be necessary for the functioning of the University.

(3) The authorities constituted under sub-section (1) shall commence to exercise their functions on such date as the Government may, by notification, specify in this behalf.

(4) It shall be the duty of the first Vice-Chancellor to draft such statutes, ordinances and regulations as may be necessary and submit them to the respective authorities competent to deal with them for their disposal. Such statutes, ordinances and regulations when framed shall be published in the Tamil Nadu Government Gazette.

(5) Notwithstanding anything contained in this Act and the statutes and until such time an authority is duly

constituted, the first Vice-Chancellor may appoint any officer or constitute any committee temporarily to exercise and perform any of the powers and duties of such authority under this Act and the statutes.

57. Transfer of service of certain employees of the University of Madras to the University.- (1) Every person who immediately before the notified date is serving in connection with the affairs of the University of Madras in the University Centre at Tiruchirappalli shall as from the said date, become an employee of the Bharathidasan University and shall cease to be an employee of the University of Madras.

(2) (a) As soon as may be after the notified date, the Government may, after consulting the Vice-Chancellor of the University of Madras and the Bharathidasan University, direct by general or special order that such of the employees of the University of Madras as are specified in such order shall stand allotted to serve in connection with the affairs of the Bharathidasan University with effect on and from such date as may be specified in such order:

Provided that no such direction shall be issued in respect of any such person without his consent for such allotment;

(b) With effect from the date specified in the order under clause (a), the persons specified in such order shall become employees of Bharathidasan University and shall cease to be employees of the University of Madras.

(3) Every person referred to in sub-section (1) or subsection (2) shall hold office under the Bharathidasan

University by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension or gratuity, if any, and other matters as he would have held the same on the notified date or the date specified in the order under subsection (2), as the case may be, as if this Act had not been passed.

(4) The liability to pay pension and gratuity to the persons referred to in sub-sections (1) and (2) shall be the liability of the Bharathidasan University.

58. Transfer of accumulations in provident fund and other like funds.-

(1) The sums at the credit of the provident fund accounts of the persons referred to in subsection (1) of section 57 as on the notified date and of the persons referred to sub-section (2) of that section as on the date specified in the order under clause (a) of the said sub-section (2) shall be transferred to in the Bharathidasan University and the liability in respect of the said provident fund accounts shall be the liability of the Bharathidasan University.

(2) There shall be paid to the Bharathidasan University out of the accumulations in the superannuation fund and other like funds, if any, of the University of Madras such amounts as have been credited to the superannuation fund or other like funds, if any, on behalf of the persons referred to in sub-section (1) and (2) of section 57. The amount so paid shall form part of the superannuation fund or other like funds, if any, that may be established by the Bharathidasan University for the benefit of its employees.

59. Payment of certain amount by the University of Madras :- (1) The University of Madras shall, out of its funds as on the notified date, pay to the Bharathidasan University such amount as the Government may, in consultation with the University of Madras, specify.

(2) The amount payable under sub-section (1) shall be in addition to the amounts payable by the University of Madras to the Bharathidasan University under section 58.

60. Tamil Nadu Act VII of 1923 not to apply.- (1) Subject to the provisions of sub-sections (2) to (9), the Madras University Act, 1923 (Tamil Nadu Act VII of 1923) (hereafter in this section referred to as the 1923 Act) shall, with effect on and from the notified date, cease to apply in respect of the areas to which the provisions of this Act extend.

(2) Such cessor shall not affect -

(a) the previous operation of the 1923 Act in respect of the areas to which the provisions of this Act extend, or

(b) any penalty, forfeiture or punishment incurred in respect of any offence committed against the 1923 Act, or

(c) any investigation, legal proceeding or remedy in respect of such penalty, forfeiture or punishment, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(3) Notwithstanding anything contained in sub-section (1), all statutes, ordinances and regulations made under the

1923 Act and in force on the notified date, shall, in so far as they are not inconsistent with this Act, continue to be in force in the University area until they are replaced by the statutes, ordinances and regulations to be made under this by the Act.

(4) Notwithstanding anything contained in this Act, the statutes, ordinances and regulations continued in force under sub-section (3) or made under this Act, every person who immediately before the notified date was a student of a college with in the University area affiliated to or approved by the University of Madras, and of the Departments of the University or was eligible for any of the examinations of the University of Madras, shall be permitted to complete his course of study in the Bharathidasan University, and the Bharathidasan University shall make arrangements for the instruction, teaching and training for such students for such period and in such manner as may be determined by the Bharathidasan University in accordance with the course of study in the University of Madras and such students shall, during such period, be admitted to the examinations held or conducted by the University of Madras and the corresponding degree, diploma or other academic distinctions of the University of Madras shall be conferred upon the qualified students on the result of such examinations, by the University Of Madras.

(5) All property, whether movable or immovable including lands, buildings, equipments, books and library and all rights of whatsoever kind owned by or vested in, or held in trust immediately before the notified date, by the University of Madras at the University Centre at Tiruchirappalli as well as all liabilities legally subsisting against that University at the Centre shall, stand transferred

to, and vest in, the Bharathidasan University.

(6) All colleges including oriental colleges, within the University area which immediately before the notified date-

(a) continue to be affiliated to, or recognised by, the University of Madras; and

(b) provide courses of study for admission to the examination for degrees of the University of Madras, shall be deemed to be colleges affiliated to the Bharathidasan University under this Act and the provisions of this Act shall, as far as may be, apply accordingly.

(7) All colleges within the University area which immediately before the notified date, continue to be recognised by the University of Madras as oriental colleges providing courses of study for admission to the examinations of the said University, for titles and diplomas, shall be deemed to be colleges approved by the Bharathidasan University under this Act, and the provisions of this Act, shall as far as may be, apply accordingly.

(8) All hostels within the University area which continue to be recognised by the University of Madras immediately before the notified date shall be deemed to be hostels recognised by the Bharathidasan University under this Act and the provisions of this Act shall, as far as may be, apply accordingly.

(9) Subject to the provisions of sub-section (2) but without prejudice to the provisions of sub-sections (3) to (7), anything done or any action taken before the notified date under any provision of the 1923 Act in respect of any area

to which the provisions of this Act extend shall be deemed to have been done or taken under the corresponding provision of this Act and shall continue to have effect accordingly unless and until superseded by anything done or any action taken under the corresponding provision of this Act.

61. The Librarian.- (1) The Librarian shall be a whole-time officer of the University appointed by the Syndicate on the recommendation of the Selection Committee constituted for the purpose, for such period and on such terms and conditions as may be prescribed.

(2) The Librarian shall exercise such powers and perform such duties as may be assigned to him by the Syndicate.

62. Special mode of appointment.- (1) The Syndicate may invite a person of high academic distinction and professional attainments to accept a post of Professor in the University on such terms and conditions as it deems fit. and on the person agreeing to do so, appoint him to the post.

(2) The Syndicate may appoint a teacher or any other member of the academic staff working in any other University or organisation for undertaking a joint project in accordance with the manner laid down in the ordinances.

63. Report on affiliated colleges: The Syndicate shall, at the end of every three years from the notified date, submit a report to the Government on the condition of affiliated and approved colleges within the University area.

The Government shall take such action on it as they deem fit.

64. '[xx]

65. *Power to remove difficulties.*-(1) If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the notified date or otherwise in giving effect to the provisions of this Act, the Government may, by notification, make such provision, not inconsistent with the provisions of this Act as may appear to them to be necessary or expedient for removing the difficulty:

Provided that no such notification shall be issued after the expiry of five years from the date of establishment of the University under section 3.

(2) Every notification issued under sub-section (1) or under any other provisions of this 2 [Act] shall, as soon as possible after it is issued, be placed on the table of both Houses of the Legislature and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such notification or both Houses agree that the notification should not be issued, the notification 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 under the notification.

¹[xx) This section was omitted by section 22 of Bharathidasan University (Amendment) Act, 1986.

² Substituted for the word "Ordinance" by section 27 of Bharathidasan University (Amendment) Act, 1985.

THE SCHEDULE

[(See section 34 (1).)]

The First Statutes of the University

[The Schedule is omitted by sec 23 of Bharathidasan University
(Amendment) Act, 1986.)