

VIDHAN SABHA SECRETARIAT
MADHYA PRADESH



REPORT
OF
THE SELECT COMMITTEE
ON THE
INDORE UNIVERSITY BILL, 1962
(No. 30 of 1962)

Together with the Bill as amended by the Select Committee

BHOPAL
GOVERNMENT CENTRAL PRESS
1963

**COMPOSITION OF THE SELECT COMMITTEE ON THE ISLUKE
UNIVERSITY BILL, 1962 (No. 30 of 1962).**

Chairman

1. Shri Babulal Patodi.

Members

2. Shri Rustamji Kawasji Jal.
3. Shri Gangaram Tiwari.
4. Shrimati Hansaben Patel.
5. Shri Bapulal Malviya.
6. Shri Arjun Singh.
7. Shri Kashi Prasad Pande.
8. Shri Fatehbhanu Singh.
9. Shri Murlidhar Mishra.
10. Shri Bhalchand Bagdare.
11. Shri Ram Karan Ugra.
12. Shri Bapu Singh Mandloi.
13. Rajkumari Prabhawati Raje.
14. Rana Balbahadur Singh.
15. Dr. Shanker Dayal Sharma, Minister for Education.

Secretariat

1. Shri Madan Gopal, Secretary.
2. Shri R. R. Kanhai, Under Secretary.

REPORT OF SELECT COMMITTEE

I, the Chairman of the Select Committee to which the Indore University Bill, 1962 (No. 30 of 1962), was referred having been authorised to submit the report on their behalf, present this their Report, with the Bill as amended by the Committee annexed thereto.

2. The Bill* was introduced in the Vidhan Sabha on the 8th August, 1962. The motion for reference of the Bill to a Select Committee was moved by Dr. Shanker Dayal Sharma, Minister for Education, on the 8th August, 1962 and was discussed in the House and adopted on the same day.

3. The Committee held 5 sittings in all.

4. In the first sitting of the Committee held on the 17th September, 1962, the committee decided—

- (a) to invite opinions of the general public of Indore Revenue District ;
- (b) to invite opinions of all the educational institutions and organizations concerned with the Bill, of Indore Revenue District and if so desired by them to hear evidence at its sitting at Indore on the 10th October, 1962;
- (c) to invite suggestions, if any, of the Corporation of Indore ;
- (d) to receive opinions or suggestions by the 1st October, 1962;
- (e) to hold the next sitting of the Committee at Indore on the 10th October, 1962, at 2 p.m. at Indore Residency subject to the necessary permission being given by the Speaker.

5. In the second sitting of the Committee held on the 10th October 1962 at Indore the Committee heard the evidence tendered by three Associations and five individuals specified in Appendix I.

6. In the third and fourth sittings of the Committee held on the 1st and 2nd November, 1962, the Committee considered the Bill clause by clause.

7. Fifteen Memoranda of opinions/suggestions on the Bill were received by the Committee from different associations/individuals as mentioned in Appendix II.

8. In the fifth sitting of the Committee held on the 3rd December, 1962, the Committee considered the drafts of the amendments to the clauses and finalised them and authorised the Chairman to approve the Report and present it to the House.

9. The observations of the Committee with regard to the principal changes proposed in the Bill are given in the succeeding paragraphs.

10. Long title.—The Committee consider that the long title of the Bill should be consistent with its main purposes which is to establish a federal University at Indore.

This title has, therefore, been amended accordingly.

*Published in English and Hindi in the "Madhya Pradesh Gazette" Extraordinary, dated the 24th July, 1962.

11. **Clause 2, Item (i).**—The Committee feel that an “affiliated college” should provide instructions at least up to Bachelors degree and that it should not be a Constituent College. The item has been amended accordingly.

Item (iii).—The Committee are of the opinion that it will not be proper to restrict a constituent college to provide teachings in at least two faculties.

The item has been amended accordingly.

Item (vi).—The Committee are of the opinion that as “Assistant Professors” are also teachers of the University like Professors and Readers, they should also be included in this item.

The item has been amended accordingly.

12. **Clause 3.**—The Committee consider that the post of Treasurer is redundant. The purpose will be better met if a Finance Officer is appointed under the provisions of statutes for looking after the financial matters of the University.

The clause has been amended accordingly.

13. **Clause 4, Item (2), sub-item (i).**—The Committee consider it desirable to add the subjects of Veterinary and Ayurved. The Committee also feel that the subject Teaching will better be called as Education.

The item has been amended accordingly.

New sub-item (iii-a).—The Committee consider that the University should promote the study of Industrial Organization and Business Management.

A new item has been added to meet this purpose.

Item (9).—The Committee are of the opinion that emeritus Professorships and Assistant Professorships are also teaching posts in the University like Professorships, Readerships and Lecturerships and they should be included in this item.

The item has been amended accordingly.

Item (18), new sub-item (d).—The Committee are of the opinion that there should be a Bureau for the development of Hindi for publications of Books and Translation in Hindi. A new sub-item has been inserted accordingly.

New item (22-a).—The Committee consider that development of the study of Hindi is very necessary as it is the National language and the official language of this State, and, therefore, the University should have also powers to develop it.

A new item has been inserted accordingly.

14. **Clause 5 (1).**—The Committee are of the view that as the territorial jurisdiction of the University is the limit of the Revenue District of Indore it is not proper to make a provision to associate or admit to any of its privileged colleges situated outside the aforesaid limits.

The sub-clause has been amended by omitting the proviso.

15. **Clause 6.**—The Committee feel that the intention of maintaining, etc., of colleges exclusively for women, reservations of seats for women and members of Scheduled Castes and Scheduled Tribes and exemption of Scheduled Castes and tribes and indigent person from payment of fees is not quite clear in the two provisos.

The provisos have been revised to make the intention of the clause clearer.

Explanation.—The Committee consider that the maximum limit of Rs. 1,800 regarding the annual income of the guardian is rather low and feel that it should be raised to Rs. 2,400.

The explanation has been amended accordingly.

16. **Clause 13, sub-clause (1), First Proviso.**—The Committee are of the opinion that the Chancellor should be free to call for fresh recommendations if the person or persons approved by him, out of those recommended by the Committee, are unwilling to accept the appointment and feel that his choice should not be limited to the remaining person or persons for the appointment if he does not approve him or them.

The first proviso has been modified accordingly.

Sub-clause (9).—The Committee feel that in the temporary vacancy of Vice-Chancellor a Dean who is senior to the Registrar should carry on the duties of the Vice-Chancellor.

The sub-clause has been amended accordingly.

17. **Clause 15.**—The Committee consider it essential that the position of the Vice-Chancellor should be reasonably secure so that he may be able to devote his full attention to the University work and discharge his duties without let or hinderance. The Committee were also apprehensive that in case the position of the Vice-Chancellor is not so secure, this office cannot attract suitable talent. The Committee feel that the procedure envisaged in the present clause flexibly requires modification. The Committee are of the opinion that the procedure for bringing a motion of no-confidence against the Vice-Chancellor should be more rigid so that it may not be possible to bring such a motion easily. The procedure proposed by the Committee is on the lines of the provisions contained in the Constitution of India for the removal of the Judges of the Supreme Court. The clause has been revised accordingly.

18. **Clause 16.**—The Committee feel that the appointment of a Rector is not necessary when there is a paid Vice-Chancellor but in case Vice-Chancellor is an honorary one a Rector may be appointed and his term of office should be co-terminus with that of the honorary Vice-Chancellor.

Sub-clauses (1) and (3) have been revised accordingly.

19. **Clause 17.**—This clause has been omitted consequent upon the earlier decision to drop the post of Treasurer.

20. **Clause 18.**—The Committee are of the opinion that the first Registrar should be appointed by the Chancellor.

The clause has been amended accordingly.

21. **Clause 21, (1), New item (x-a).**—The Committee are of the view that the Chairman, Zila Panchayat, Indore should also be a member of the Court.

A new item has been inserted accordingly.

Items (xii) and (xii-a).—The Committee feel that the intention in item (xii) will be more clear if it is split into two separate items. Item (xii) has been split in items (xii) and (xii-a) accordingly.

Item (xvii).—The Committee feel that one member representing labour should also be included in this item.

The item has been amended accordingly.

Item (xix).—The Committee consider that two nominees of the Chancellor are redundant. This item has been omitted.

Item (xx).—The Committee are of the opinion that the member of ten representatives of the Registered Graduates will be sufficient.

The item has been amended accordingly.

22. Clause 24, sub-clause (2).—The Committee feel that the term of office of members under item (a) should be only till they continue to hold the posts which qualified them to become such members.

The item has been amended accordingly.

23. Clause 26 (1), item (x).—The Committee are of the opinion that it is not necessary to further enhance the number of the Academic Council by adding three more members of the court duly elected by the Court.

The item has been omitted.

24. Clause 28 (1).—The Committee consider that in order to give impetus for the development of Ayurved system of medicines it is necessary to add an independent faculty of Ayurved in this sub-clause.

The sub-clause has been amended accordingly.

Sub-clause (3).—The sub-clause has been revised to make its intention clearer.

25. Clause 31 (2).—The Committee are of the view that each Board of studies should consist of Heads of University Departments in the subjects, Heads of Departments in the subjects in colleges and three members co-opted by the Board, one of whom to be an expert from outside the University and one from a recognised research institution.

The sub-clause has been revised accordingly.

Sub-clause (4).—The sub-clause has been omitted in view of the revision of sub-clause (2).

26. Clause 35 (1).—The Committee feel that as the post of Treasurer has been omitted from the Finance Committee the addition of Finance Secretary in that Committee will be of great help to the Committee.

A new item (iv-a) has been added in this sub-clause.

27. Clause 49, item (b).—The Committee consider that any graduate of at least three years standing of any University in India and residing in Madhya Pradesh should be allowed for being enrolled as a registered graduate in the University.

The item has been amended accordingly.

(v)

28. **Clause 52.**—The Committee are of the opinion that the meaning of the word “body” occurring in this clause should be made clearer. An explanation has been added to this clause accordingly.

29. **Clause 58.**—The Committee feel that the intention of the words “bona-fide done” should be made more clear to show that it is done in good faith.

The clause has been amended to make the intention clear.

30. **Clause 59, Proviso and new clause 59-A.**—The Committee are of the opinion that the matter provided for in the proviso should be provided for in a separate clause to make its intention clearer.

The proviso has been omitted and a new clause 59-A has been inserted accordingly.

31. **Clause 61.**—The Committee are of the view that the constitution of the Selection Committee for recommending the names for appointment as Professors, Readers and Assistant Professors should not be left to the statutes but should be given in the Act itself.

The clause has been revised to bring out the intention clearly.

32. **Clause 63.**—The Committee consider that in order to bring out the intention clearly for the words “his teaching” the words “his qualifications” be substituted and the clause be rearranged.

The clause has been revised accordingly.

33. The Select Committee recommend that the Bill as amended be passed.

APPENDIX I

(See paragraph 5)

Names of individuals and names of the members of the Association present who tendered evidence before the Committee.

1. (a) Dr. I. K. Somani, Assistant Professor of Pathology, M. G. M. Medical College, Indore.

(b) Shri M. M. Arora, Professor of Pathology, M. G. M. Medical College, Indore.

2. Ayurved Mandal, Indore—

- (1) Kaviraj Sitaramji Ajmera, Bheesaj Ratan, Vice President.
- (2) Shri S. C. Porwar, L. M. P., B. I. M. S., Ayurved Ratna, Ayurvedacharya, Ex-Lecturer, R. S. A. College and Secretary.
- (3) Shri Vedprakash Sharma, B. I. M. S., Lecturer, R. S. A. College, Indore.
- (4) Shri Harkrishna Joshi, M.A., B. I. M. S., Prachar Mantri.
- (5) Shri Sadashiv Raoji Dubey, Secretary, Ashtang Ayurved College, Indore.
- (6) Shri D. S. Banilal Joshi, Ayurved Shastri, Principal, R. S. A. College, Indore.

3. National Medical Association of India, Indore Branch—

- (1) Dr. P. K. Singhi, M.A., B.S., Secretary.
- (2) Dr. D. C. Sethi, B. I. M. S., Vice-President.
- (3) Dr. Tara Devi Nalini, B. I. M. S., Treasurer.
- (4) Shri I. B. Shastri, Principal, Rajkumarsingh Ayurved College, Indore.

4. Shri K. S. Wani, Principal, P. M. B. Gujrati College, Indore.

5. Dr. B. N. Tandon, Principal, Government Arts and Commerce College, Indore.

6. Shri S. S. Pande, Ex-member of Public Service Commission, Indore and ex-member of the Court of Vikram, Jabalpur, Sagar and Benaras Universities.

7. City Congress Committee, Indore—

- (1) Shri Mathuralal Sharma, President.
- (2) Shri Johrilal, Jhanjaria, Vice-President.
- (3) Shri Laxman Singh Chavan, General Secretary.
- (4) Shri Manohar Singh Mehta.
- (5) Shri V. V. Sarwate, Member of Parliament.
- (6) Shri Baboolal Mittal, Municipal Corporation, Indore.

8. Shri Dattatrya V. Joshi, Indore.

APPENDIX II

(See Paragraph 7)

Associations and individuals from whom memoranda of opinions/suggestions were received

| S. No. | From whom received | Action taken |
|--------|---|--|
| 1 | Ayurved Mandal, Indore | Circulated to members (came to give evidence). |
| 2 | M. G. M. Medical College, Indore | Circulated to members (came to give evidence). |
| 3 | Shri Baboolal Gour, Sabalgarh | Circulated to members. |
| 4 | Sarpanch, Mandal Panchayat, Khargone | Circulated to members. |
| 5 | Shri G. C. Kasliwal, Dean, Faculty of law, Vikram University, Ujjain. | Circulated to members. |
| 6 | Municipal Committee, Barbaha | Circulated to members. |
| 7 | National Medical Association of India, Branch Indore. | Circulated to members (came to give evidence). |
| 8 | Principal, P. M. B. Gujarati College, Indore | Circulated to members (came to give evidence). |
| 9 | Shri Dattatrey V. Joshi, Indore | Circulated to members (came to give evidence). |
| 10 | Municipal Committee, Sanawad, District West Nimar. | Circulated to members. |
| 11 | Bar Association, Sendhwa, District West Nimar | Circulated to members. |
| 12 | Municipal Committee, Mandleshwar | Circulated to members. |
| 13 | R. S. A. College, Indore | Circulated to members (came to give evidence). |
| 14 | Principal, Christian College, Indore | Circulated to members. |
| 15 | Municipal Committee, Anjad, District West Nimar. | Circulated to members. |

BABULAL PATODI,

Chairman,
Select Committee.BHOPAL :
The 5th February 1963.

MINUTE OF DISSENT

I beg to differ from the recommendations of the Select Committee so far as section 15 of the Indore University Bill, 1962 is concerned.

The only purpose behind this provision is to provide a means by which a Vice Chancellor can be removed from office for mis-behaviour or mis-conduct. In my view the means provided in the Bill is contrary to the best interests of any academic institution. It is certainly fashionable according to the times to introduce democratic checks and balances everywhere, but to do so indiscriminately without keeping in view the over all effect it is likely to produce, would, to my mind, be a folly. It has been the consistent endeavour of our educationists since freedom came to this country, to insulate as far as possible the seats of learning from the petty political manouverings, that vitiate all that is desirable in an University. The harm that has come to our academic institutions because of this needs no proof from me and is amply testified to by everyday experience and the numerous learned reports by those who are expected to know something about the subject.

There can, to my mind, be no analogy between an University court and a legislature or any other representative body and hence no satisfaction can be drawn from the fact that a provision almost analogous to that provided for the removal of a Supreme Court Judge has been provided for the removal of the Vice-Chancellor. The Constitution provides for an enquiry just regarding the specific conduct for which a Supreme Court Justice is sought to be impeached by Parliament, but in this Bill it is only the requisite number that is required to condemn a man, whose only real fault may be his inability to comply with the not so desirable wishes of some influential members of the Court. To allow such a sword of democles hanging over the head of an educational institution to me appears to be nothing short of irresponsibility to the basic urges of education. The next step may well be the demand for a right to the students to pass a vote of no-confidence against the Vice-Chancellor, for ultimately it is they on whom he exercises his power. Even a good thing may loose all its effectiveness if applied at the wrong place and this is one such instance. It is not my intention to allow the Vice-Chancellor to become a despot in the institution, but a means more in tune with the sobriety and sanctity of a teaching institution should be provided instead of throwing it open to the rough and tumble of politics with unpredictably immense damage to the entire educational fabric as the only certain consequence.

BHOPAL :

Dated, the 4th December, 1962.

ARJUN SINGH.

(As amended by the Select Committee)

MADHYA PRADESH BILL
THE INDORE UNIVERSITY BILL, 1962

NO. 30 OF 1962.

[Omissions made by the Select Committee are enclosed in square brackets and additions and alterations made by them are sidelined or underlined.]

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(As amended by the Select Committee)

MADHYA PRADESH BILL

No. 30 OF 1962.

[Omissions made by the Select Committee are enclosed in square brackets and additions and alterations made by them are sidelined or underlined.]

THE INDORE UNIVERSITY BILL, 1962.

A Bill to establish and incorporate a [teaching, affiliating and residential] federal University at Indore.

BE it enacted by the Madhya Pradesh Legislature in the [Thirteenth] Fourteenth Year of the Republic of India as follows :—

CHAPTER I.—*Preliminary*

1. (1) This Act may be called the Indore University Act, Short title and commencement.
[1962] 1963.

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

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

- (i) "affiliated college" means an institution recognised by the University in accordance with the provisions of this Act and the Statutes for providing instructions at least up to the Bachelor's degree and which is not a constituent College;
- (ii) "college" means an institution maintained by, or admitted to, the privileges of the University by or under the provisions of this Act, and includes an affiliated college or a constituent college;
- (iii) "constituent college" means a college which provides post-graduate teaching in four or more subjects [belonging to at least two faculties] or is a college for technical or professional education and which in addition satisfies conditions laid down in the Statutes in this behalf and has been declared by the Executive Council as a constituent college;
- [(iv) "hostel" means a place of residence for students of the University maintained or recognised by the University either as a part of or separate from a college;]
- (iv) "hostel" means a unit of residence for students of the University provided, maintained or recognised by it;
- (v) "Principal" means the head of a college, and includes when there is no principal, the person for the time being duly appointed to act as Principal;

- (vi) "Professors" [and] "Readers" and "Assistant Professors" mean teachers of the University who have been appointed or recognised by the Executive Council as Professors and Readers and Assistant Professors respectively;
- (vii) "registered graduate" means a graduate registered under the provisions of this Act;
- (viii) "Scheduled Castes" means the Scheduled Castes specified in relation to this State under Article 341 of the Constitution;
- (ix) "Scheduled Tribes" means the Scheduled Tribes specified in relation to this State under Article 342 of the Constitution;
- (x) "School of studies" means an institution maintained by the University as a place for higher learning and research in a particular branch of learning;
- (xi) "Statutes", "Ordinances" and "Regulations" mean, respectively the Statutes, Ordinances and Regulations of the University, in force for the time being;
- (xii) "Teachers of the University" include all persons who, with the approval of the Academic Council, impart instructions or guide research in the University or in any college;
- (xiii) "University" means the University of Indore.

CHAPTER II.—The University.

Incorporation of University.

3. (1) The Chancellor, Pro-Chancellor, first Vice-Chancellor and Rector, if any, of the University [Treasurer] and the first members of the Court, of the Executive Council and of the Academic Council of the University and all persons who may hereafter become such officers or members are, so long as they continue to hold such office or membership, hereby constituted a body corporate by the name of the University of Indore.

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

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

(4) The headquarters of the University shall be located at Indore.

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

- (1) to provide for instruction, teaching and training in such branches of learning and courses of study as the University may think fit, and to make provision for research and for the advancement and dissemination of knowledge;
- (2) to cultivate and promote the study of—
 - (i) Arts and Humanities, Sciences, Technology, Engineering, Commerce, Agriculture, Veterinary, Law, [Teaching and] Education, Medicines and Ayurved;
 - (ii) Music and other fine Arts;
 - (iii) Oriental languages, Sanskrit learning and research, Ancient Indian Arts and Culture;
 - (iii-a) Industrial Organisation and Business management;
 - (iv) such other subjects as may be prescribed;
- (3) to hold examinations, and to grant diplomas and confer degrees and other academic distinctions on persons, who—
 - (a) have pursued a course of study in the University or in a college:

Provided that the Ordinance may make provision for examining, and conferring degrees and other academic distinctions upon, women who have not pursued a course of studies in the University or in college; or
 - (b) are teachers or librarians in recognised educational institutions;
- (4) to confer degrees and other academic distinctions on persons who have carried on independent research under conditions laid down in the Ordinances;
- (5) to confer honorary degrees or other academic distinctions on approved persons, in the manner prescribed in the Statutes;
- (6) to provide such lectures and instruction for and to grant such diplomas to persons, not being enrolled students of the University, as the University may determine;
- (7) to maintain college, schools of studies and hostels, to admit to its privileges colleges not maintained by the University and to withdraw all or any of those privileges, and to recognise hostels not maintained by the University and to withdraw any such recognition in the manner prescribed in the Statutes or Ordinances;

- (8) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine;
- (9) to institute professorships including emeritus professorships, readerships, assistant professorships, lecturerships and any other teaching posts required by the University and to appoint persons to such posts;
- (10) to recognise teachers as qualified to give instructions in colleges;
- (11) to hold and manage trusts and endowments and to institute, and award fellowships, scholarships, exhibitions, bursaries medals and other rewards in accordance with conditions prescribed in the Statutes;
- (12) to organise University laboratories, libraries, museums and other equipment for teaching and research;
- (13) to inspect colleges and recognised institutions and to take measures to ensure that proper standards of instructions, teaching or training are maintained in them;
- (14) to demand and receive payment of such fees and other charges as may be prescribed by the Ordinances;
- (15) to supervise and control the residence, conduct and discipline of students of the University, and to make arrangements for promoting their health and general welfare;
- (16) to create administrative, ministerial and other necessary posts and to make appointments thereto;
- (17) to conduct, co-ordinate, regulate and control teaching and post-graduate research work in the colleges and the institutions recognised by the University;
- (18) to institute and manage—
- (a) Information Bureaux;
 - (b) Employment Bureaux; [and]
 - (c) Printing and Publication Department; and
 - (d) Bureaux for Publications and Translation in Hindi;
- (19) to provide for training for competitive examinations for services under the Union or the State Governments;
- (20) to make provision—
- (a) for *extra-mural* teaching and research;
 - (b) for physical and military training; and
 - (c) for sports and athletic activities;
- (21) to control and co-ordinate the activities of, and give financial aid to, affiliated colleges and recognised institutions;

- (22) to make special provision for the spread of University education among classes and communities which are educationally backward;
- (22-a) to promote by itself or in co-operation with the other Universities or the State Government or Union Government, the development of the study of Hindi;
- (23) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

5. (1) Save as otherwise provided in this Act, the powers conferred on the University by or under this Act, shall not extend beyond the limits of the revenue district of Indore [:]. Territorial jurisdiction.

[Provided that the State Government may authorise the University to associate or admit to any of its privileges colleges situated within the State outside the aforesaid limits in accordance with the provisions of this Act and Statutes made thereunder.]

(2) Notwithstanding anything contained in any other law for the time being in force, no college or educational institution situate within the aforesaid limits shall be associated in any way with or be admitted to any privileges of any other University incorporated by law in India and any such privileges granted by any such other University to any educational institution within those limits prior to the commencement of this Act, shall be deemed to be withdrawn on the commencement of this Act.

6. It shall not be lawful for the University to impose on a citizen of India any test or condition whatsoever relating to religion, caste, sex, place of birth or political or other opinion in order to entitle any person— University open to all irrespective of religion, race, caste, sex, place of birth or opinion.

- (a) to hold any office in the University; or
- (b) to be a member of any authority of the University;
- or
- (c) to be appointed or admitted as a teacher; or
- (d) to be admitted to any degree, diploma or other academic distinctions or course of study or to qualify for any degree, diploma, or other academic distinction; or
- (e) to enjoy or exercise any privileges of the University or benefaction thereof:

[Provided that the University may subject to the previous sanction of the State Government, maintain, affiliate or recognise any college or institution exclusively for women either for education, instruction or residence, or reserve for women or members of classes and communities which are educationally backward, seats for the purposes of admission as students

in any college or institution maintained or controlled by the University:

Provided further that nothing in this sub-section shall be deemed to prevent the University from exempting indigent persons belonging to any socially and educationally backward class of citizen or the Scheduled Castes or Scheduled Tribes, who attend courses of study or seek admission to the University examinations from the fees levied in whole or in part for attending such courses or seeking admission to such examinations.]

Provided that the University may, subject to the previous sanction of the State Government,—

- (a) maintain, affiliate or recognise any college or institution exclusively for women either for education, instruction or residence; or
- (b) reserve for women or members of the Scheduled Castes or Scheduled Tribes seats for the purposes of admission as students in any college or institution maintained or controlled by the University:

Provided further that nothing in this section shall be deemed to prevent the University from exempting—

- (a) members of the Scheduled Castes or Scheduled Tribes; or
- (b) indigent persons not falling under (a) above, who attend courses of study or seek admission to University Examinations from the payment of fees in whole or in part for attending such courses or seeking admission to such examinations.

Explanation.—A person shall, for the purposes of this proviso, be deemed to be an "indigent person" if the annual income of such person or his guardian (where such person is for his livelihood and education dependent upon such guardian) is less than Rs. [1,800] 2,400 or such other amount as may be specified by the State Government by notification in this behalf.

ching in
versity.

7. (1) All recognised teaching in connection with the University courses shall be conducted by the teachers of the University in accordance with such scheme as may be framed for each academic year by the Academic Council and shall include lecturing, tutorial classes, laboratory work and other teaching conducted in accordance with the syllabus prescribed by the Regulations.

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

(3) The courses and curricula shall be prescribed by the Ordinances and, subject thereto, by the Regulations.

(4) No attendance at any teaching other than teaching conducted by the University or by a college in accordance with

the provisions of this section, shall qualify for admission to any examination of the University for which a regular course of study has been prescribed by the University.

8. (1) The State Government shall have the right to cause ^{Inspection of} an inspection to be made by such person as it may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment and of any college or hostel, maintained or recognised by or affiliated to, the University, of the teaching and other work conducted by the University or any college, and of the conduct of examinations held by the University and to cause an enquiry to be made in respect of any matter connected with the University:

Provided that the State Government shall, in every case, give notice to the University of its intention to cause an inspection or enquiry to be made, and the University shall be entitled to be represented thereat.

(2) Such person shall report to the Chancellor the results of such inspection or inquiry, and the Chancellor shall communicate to the Court and to the Executive Council, his views with reference to the results of such inspection or enquiry and shall, after ascertaining the opinion of the Executive Council and the Court thereon, advise the University upon the action to be taken.

(3) The Executive Council shall report to the Chancellor for communication to the State Government such action, if any, as it has taken or may propose to take, upon the results of such inspection or inquiry, and such report shall be submitted with opinion of the Court thereon and within such time as the Chancellor may direct.

(4) Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as he may think fit, and the Executive Council shall comply therewith.

CHAPTER III—*Officers of the University.*

9. The following shall be the officers of the University, ^{Officers of Unive} namely:— _{sity.}

- (i) The Chancellor,
- (ii) The Pro-Chancellor,
- (iii) The Vice-Chancellor,
- (iv) The Rector, if any,
- [(v) The Treasurer,]
- (vi) The Registrar,
- (vii) The Deans of the Faculties, and
- (viii) such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

Chancellor.

10. The Governor of Madhya Pradesh shall be ex-officio Chancellor of the University. He shall, by virtue of his office, be the Head of the University and the President of the Court and shall, when present preside at meetings of the Court and at any convocation of the University.

**Powers of
Chancellor**

11. [(1) The Chancellor shall, where committees of selection for Professorships, Readerships or Lecturerships of the University are constituted, appoint in the manner prescribed in the Statutes, one or more members of every such committee.]

(2) The Chancellor may—

(a) call for any papers or information relating to the affairs of the University; and

(b) for reasons to be recorded, refer any matter except a matter falling under section 52, for reconsideration to any officer or authority of the University that has previously considered such matter.

(3) The Chancellor may, by an order in writing, annul any proceeding of any officer or authority of the University which is not in conformity with this Act, the Statutes, the Ordinances, or the Regulations:

Provided that before making any such order he shall call upon the officer or authority concerned to show cause why such an order should not be made and if any cause is shown within the time specified by him in this behalf, he shall consider the same.

(4) Every proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor.

(5) The Chancellor shall exercise such powers as may be conferred on him by or under this Act.

Pro-Chancellor.

12. (1) The Minister for Education of Madhya Pradesh shall be ex-officio Pro-Chancellor of the University.

(2) In the absence of the Chancellor, or during such time as the Chancellor is unable 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 powers and perform such duties of the Chancellor as the Chancellor may, from time to time, by an order in writing, delegate to him.

Vice-Chancellor.

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

[Provided that if the Chancellor does not approve of any of the persons so recommended, or all the persons recommended by such committee are not willing to accept the appointment, the Chancellor may call for fresh recommendations from such Committee:]

Provided that if the Chancellor does not approve of any of the persons so recommended or the person or persons approved by the Chancellor out of those recommended by suc

committee are not willing to accept the appointment, the Chancellor may call for fresh recommendations from such Committee :

Provided further that the first Vice-Chancellor shall be directly appointed by the Chancellor.

(2) [The Chancellor shall appoint a committee of three persons,] The Committee shall consist of three persons, two of whom shall be elected by the Executive Council by single transferable vote from amongst persons not connected with the University or a college and the third shall be nominated by the Chancellor. The Chancellor shall appoint one of the three persons to be the Chairman of the Committee.

(3) For constituting the committee under sub-section (2) the Chancellor shall, six months before the expiry of the term of the Vice-Chancellor, call upon the Executive Council to choose its nominees and if it fails to do so within one month of the receipt of the Chancellor's communication in this regard, the Chancellor may nominate any two persons not connected with the University or college and the persons so nominated shall be deemed to be the persons elected by the Executive Council.

(4) The committee shall submit the panel within six weeks from the date of its constitution or such further time not exceeding four weeks as may be extended by the Chancellor.

(5) If the committee fails to submit the panel within the period specified in sub-section (4), the Chancellor may appoint any person whom he deems fit to be the Vice-Chancellor.

(6) The Vice-Chancellor shall hold office for a term of five years and shall not be eligible for re-appointment :

Provided that the first Vice-Chancellor shall hold office for a term of three years :

Provided further that, notwithstanding the expiry of his term, he shall continue in office until his successor is appointed and enters upon his office; but this period shall not exceed six months.

(7) The Vice-Chancellor shall be a whole time salaried officer of the University and his emoluments and other terms and conditions of service shall be prescribed [by the Ordinances] by Statutes :

Provided that the first Vice-Chancellor shall, if the Chancellor so directs, be an honorary officer and the Court shall place at the disposal of such honorary Vice-Chancellor annually a sum of Rs. 5,000 by way of sumptuary allowance.

(8) In the event of the occurrence of any vacancy in the office of the Vice-Chancellor by reason of his death, resignation or otherwise the vacancy shall be filled as early as practicable in the manner laid down in this section.

(9) Where any temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, illness or other cause, the

Chancellor shall, as soon as possible, make such arrangements for carrying on the office of the Vice-Chancellor as he may think fit. Until such arrangements have been made, the Rector and if no Rector has been appointed or if the Rector also is not available, [the Registrar shall carry on the current duties of the Vice-Chancellor.] the Chancellor shall nominate one of the Deans as he may deem fit to carry on the current duties of the Vice-Chancellor.

Explanation.—For the purposes of this section, member of a governing body of any College affiliated to the University shall not be deemed to be a person connected with the University or College.

Powers and
duties of Vice-
Chancellor.

14. (1) The Vice-Chancellor shall be the Principal executive and Academic Officer of the University, and shall, in the absence of the Chancellor, preside at the meetings of the Court and at any Convocation of the University. He shall be an ex-officio member and Chairman of the Executive Council and of the Academic Council, member of the Court and Chairman of such other authorities of the University of which he is a member. He shall be entitled to be present and to speak at any meeting of any authority or other body of the University, but shall not be entitled to vote thereat unless he is a member of the authority or body concerned.

(2) It shall be the duty of the Vice-Chancellor to ensure that this Act, the Statutes, the Regulations and the Ordinances are faithfully observed and he shall have all powers necessary for this purpose.

(3) The Vice-Chancellor shall have power to convene meetings of the Court, the Executive Council and the Academic Council. He may delegate this power to any other officer of the University.

(4) In any emergency which in the opinion of the Vice-Chancellor requires that immediate action should be taken, the Vice-Chancellor shall take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer, authority, or other body as would have in the ordinary course dealt with the matter:

Provided that the action taken by the Vice-Chancellor shall not commit the University to any recurring expenditure for a period of more than three months.

(5) When action taken by the Vice-Chancellor under sub-section (4) affects any person in the service of the University, such person shall be entitled to prefer an appeal to the Executive Council through the officer, authority or body mentioned in the said sub-section within fifteen days from the date on which such action is communicated to him.

(6) The action taken by the Vice-Chancellor shall be deemed to be the action taken by the appropriate authority until it is set aside by such authority after considering the report made by the Vice-Chancellor under sub-section (4) or is set aside by the Executive Council under sub-section (5).

(7) The Vice-Chancellor shall exercise general control over the affairs of the University and shall give effect to the decisions of the authorities of the University.

(8) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes, Ordinances and Regulations.

15. (1) Any member of the Court may, at least twenty-four hours before the time fixed for the commencement of a meeting of the Court, deliver to the Registrar a written notice of his intention to move at the meeting of the Court, a motion of no-confidence against the Vice-Chancellor on the ground of misbehaviour or incapacity together with a copy of the motion containing particulars of misbehaviour, or incapacity, as the case may be, proposed to be moved. Removal of Vice-Chancellor.

(2) At the commencement of the meeting of the Court, the Presiding Officer shall read the notice and the text of the proposed motion delivered under sub-section (1) and call upon the members of the Court who are in favour of the motion being discussed to rise in their seats.

(3) If not less than forty per cent of the total number of members of the Court on the date on which notice was given, rise in their seats, the Presiding Officer shall immediately fix for the discussion of such motion a date which shall not be later than five days from that day.

(4) The Vice-Chancellor shall not preside at the meeting at which discussion of such motion shall take place but shall be entitled to speak and take part in the debate.

(5) No such motion shall be deemed to have been passed unless a majority of not less than two-thirds of the total membership of the court on the date of notice, votes in favour of the motion.

(6) On such a motion being passed, the Chancellor shall pass an order terminating the appointment of the Vice-Chancellor.

(7) The Vice-Chancellor shall not be removed from office except in accordance with this section.]

15. (1) A motion expressing no-confidence in the Vice-Chancellor may be made on the ground of misbehaviour or incapacity and subject to the following restrictions, namely:— Removal of Vice-Chancellor.

(a) a written notice of the intention to move such motion signed by not less than one-third of the total membership of the court for the time being is delivered to the Registrar at least seven clear days before the date fixed for a meeting of the Court; and

(b) such notice is accompanied by a copy of the motion containing particulars of misbehaviour and/or incapacity, as the case may be, proposed to be moved.

(2) At the commencement of the meeting of the Court, the presiding officer shall read the notice and the text of the proposed motion delivered under sub-section (1) and call upon the members of the Court who are in favour of the motion being discussed to rise in their seats.

(3) If not less than one third of the total number of membership of the Court for the time being rise in their seats, the Presiding Officer shall immediately fix for the discussion of such motion a date which shall not be later than five days from that day.

(4) The Vice-Chancellor shall not preside at the meeting at which discussion of such motion shall take place but shall be entitled to speak and take part in the debate. The meeting shall be presided over by the Pro-Chancellor and in his absence by such person other than the Vice-Chancellor as the Chancellor may nominate in this behalf.

(5) No such motion shall be deemed to have been passed unless a majority of not less than two-thirds of the members of the court present and voting and such majority is more than one-half of the total membership constituting the court for the time being votes in favour of such motion.

(6) The Vice-Chancellor shall not be removed from office except by an order of the Chancellor passed after the resolution passed in the court in accordance with the provisions of this section has been submitted to him.

Rector.

16. [(1) The Chancellor may, if he considers it necessary, appoint a Rector in consultation with the Vice-Chancellor.]

(1) In the event of the Vice-Chancellor being an honorary officer, the Chancellor may, if he considers it necessary so to do, appoint a Rector in consultation with the Vice-Chancellor.

(2) The Rector shall be a salaried officer of the University.

[(3) The term of office of the Rector shall be five years, but he shall be eligible for re-appointment:

Provided that the term of office of the first Rector shall be three years.]

(3) The term of office of the Rector shall be for such period as the honorary Vice-Chancellor during whose term he is appointed, holds office.

(4) Subject to the provisions of this Act, the [terms and] conditions of service and emoluments of the Rector shall be prescribed by Ordinances.

(5) The Rector shall perform such duties and exercise such powers of the Vice-Chancellor as may be assigned to him by the Chancellor in consultation with the Vice-Chancellor and he shall perform such other duties and exercise such other powers as may be prescribed by Ordinances.

[Treasurer.]

[17. (1) The Treasurer shall be appointed by the Chancellor and shall hold office on such conditions and for such period, and shall receive such remuneration, if any, from the funds of the University, as may be prescribed by the Statutes.

(2) Where any temporary vacancy in the office of Treasurer occurs by reason of leave, illness or other causes the Chancellor shall nominate any member of the Executive Council to perform the functions of the Treasurer till the Treasurer resumes his duties.

(3) The Treasurer shall exercise general supervision over the funds of the University and shall advise in regard to its financial policy.

(4) He shall be an *ex-officio* member of Court, the Executive Council, and of the Academic Council and shall, subject to the control of the Executive Council, manage the property and investments of the University. He shall be responsible for the presentation of the annual estimates and statement of accounts.

(5) Subject to the powers of the Finance Committee and the Executive Council, he shall be responsible for seeing that all moneys are expended on the purpose for which they are granted or allotted.

(6) Unless otherwise provided for under this Act, all contracts shall be signed by the Treasurer on behalf of the University.

(7) He shall exercise such other powers as may be conferred on him by the Statutes and the Ordinances.]

18. The Registrar shall be a whole-time salaried officer and shall act as the Secretary of the Court, of the Executive Council, of the Academic Council and of the Finance Committee. He shall be appointed by the Executive Council in accordance with the Statutes to be made in this behalf and his emoluments and conditions of service shall be such as may be prescribed by the Statutes. He shall exercise such powers and perform such duties as may be conferred or imposed on him by the Statutes, the Ordinances and the Regulations: Registrar.

Provided that the first Registrar shall be appointed by the Chancellor and he shall hold office for such period, not exceeding three years, and on such terms and conditions as the Chancellor may determine.

19. The appointment of other officers of the University referred to in section 9 shall be made in such manner and the conditions of their service and their powers and duties shall be such as may be prescribed by the Statutes, Ordinances and Regulations. Other Officers.

CHAPTER IV—*Authorities of the University.*

20. The following shall be the authorities of the University:— Authorities of University.

- (i) the Court,
- (ii) the Executive Council,
- (iii) the Academic Council.
- (iv) the Faculties,

- (v) the Board of Studies,
- (vi) the Finance Committee, and
- (vii) such other authorities as may be declared by the Statutes to be the authorities of the University.

Constitution
Court.

§ 1. (1) The Court shall consist of the following persons, namely :—

Ex-Officio Members.

- (i) the Chancellor;
- (ii) the Pro-Chancellor;
- (iii) the Vice-Chancellor ;
- (iv) the Rector, if any ;
- [(v) the Treasurer ;]
- (vi) the Vice-Chancellors of other Universities established by law in the State ;
- (vii) Deputy Minister for Education, Madhya Pradesh, if any;
- (viii) the Secretary to Government, Madhya Pradesh, Education Department ;
- (viii-a) the Secretary to Government, Madhya Pradesh, Law Department;
- (viii-b) the Secretary to Government, Madhya Pradesh, Finance Department ;
- (ix) the Commissioner, Indore Division ;
- (x) the Mayor, Municipal Corporation, Indore ;
- (x-a) Chairman, Zila Panchayat, Indore;
- (xi) the Chairman of the Madhya Pradesh, Board of Secondary Education ;
- [(xii) the Principals of Colleges and Schools of studies ;]
- (xii) Principals of Colleges;
- (xii-a) Principals of School of Studies ;
- (xiii) the Heads of the Departments of Studies ;
- (xiv) five Professors other than Principals or Heads of the Departments of Studies to be nominated by the Chancellor by rotation according to seniority ;
- (xv) five teachers of the University other than Principals Heads of the Departments, and Professors to be nominated by the Chancellor, by rotation, according to seniority, preference being given to teachers as aforesaid from colleges from which no teacher has become a member of the Court under item (xiii) and (xiv).

Other Members.

- (xvi) not more than two persons representing learned professions to be nominated by the Chancellor ;
- (xvii) not more than [three] four persons representing industry, labour, agriculture and commerce to be nominated by the Chancellor ;

- (xviii) five representatives of the State Legislative Assembly to be elected by the Legislative Assembly;
- [(xix) not more than two other nominees of the Chancellor;]
- (xx) [twenty] ten representatives to be elected by the registered graduates of the University from amongst themselves, in accordance with such mode as may be prescribed by the Ordinances;
- (xxi) four nominees of the State Government;
- (xxii) every donor donating more than one lakh of rupees.

Explanation.—No employee of the University or of a college shall be eligible to be a member under items (xvi) to (xxi).

(2) The term of office of members nominated or elected, as the case may be, under items (xiv) to (xxi) of sub-section (1) shall be such as may be prescribed by Statutes.

(3) Every donor specified in item (xxii) of sub-section (1) shall be a member of the Court [during his life-time] for such period as may be prescribed by statutes.

(4) If the donor specified in item (xxii) of sub-section (1) an undivided Hindu family, trust, firm, company or body corporate the representative nominated from time to time by each undivided Hindu family, trust, firm, company or body corporate shall be deemed to be the donor.

22. (1) The Court shall on a date to be fixed by the Vice-Chancellor unless some other date has been fixed by the Court in respect of any year, meet at least once a year at a meeting to be called the annual meeting of the Court. Meetings of Court.

(2) A meeting of the Court fixed by the Vice-Chancellor under sub-section (1) shall not be cancelled or postponed by the Vice-Chancellor, but the Chancellor may, for sufficient cause, postpone the meeting to any date not later than fifteen days from the day originally fixed by the Vice-Chancellor.

(3) The Vice-Chancellor may, whenever he thinks fit, and upon a requisition, in writing, signed by not less than twenty-five members of the court, convene a special meeting of the court within forty-five days of the receipt of such a requisition.

(4) If the Vice-Chancellor fails to convene a special meeting in the period specified in sub-section (3), the Registrar shall forthwith forward the requisition for the meeting to the Chancellor for his orders and the Chancellor shall fix a date for the convening of the meeting which shall not be later than the seventh day from the day of the receipt of the requisition.

(5) If no date is fixed by the Vice-Chancellor for the annual meeting in accordance with sub-section (1), it shall be held on the first Monday of February and the Registrar shall give notice of such a meeting.

(6) When a date has been fixed for the meeting of the Court by the Vice-Chancellor or the Court, as the case may be, under sub-section (1) or by the Chancellor under sub-section (2) or sub-section (4) or where it has become necessary to hold a meeting in accordance with the provisions in sub-section (5), the Registrar shall give ten clear days' notice to the members of the Court of such a meeting but notwithstanding anything to the contrary in the Statutes, Ordinances or Regulations, the validity of any such meeting shall not be challenged on the ground of insufficiency of the notice or any other irregularity in issuing it.

**Powers and duties
of Court.**

23. (1) The Court shall be the supreme authority of the University and shall, subject to such conditions as may be prescribed by or under the provisions of this Act, have the power to revise the acts of the Executive Council and the Academic Council and shall exercise all the powers of the University for carrying out the purposes of this Act:

Provided that where any act is required by or under this Act to be done with the previous approval or sanction of the State Government, it shall not be revised by the Court except with the previous approval of the State Government.

(2) In particular and without prejudice to the generality of the foregoing powers, the Court shall exercise the following powers and perform the following duties, namely:—

- (i) to make provision for instruction, teaching and training in such branches of learning and courses of study, as it may think fit, for research and for the advancement and dissemination of knowledge;
- (ii) to make such provision as will enable colleges and recognised institutions to undertake specialisation of studies and to organise and make provision for University laboratories, libraries, museums and other equipment for teaching and research;
- (iii) to establish and maintain colleges, departments, huts and institutions of research and special studies;
- (iv) to institute and maintain fellowships, scholarships, studentships, exhibitions and medals;
- (v) to institute and confer degrees, diplomas and other academic distinctions;
- (vi) to confer, on the recommendation of the Executive Council, honorary degrees or other academic distinctions;
- (vii) to make, amend or repeal Statutes;
- (viii) to consider the annual accounts and the annual financial estimates placed before it by the Executive Council and pass them with such modifications as the Court may deem fit;
- (ix) to consider and cancel or refer back, but not amend Ordinances and Regulations;
- (x) to consider the annual reports and to pass resolutions and adopt such reports:

- (xi) to elect office-bearers and authorities as provided in this Act and the Statutes ;
- (xii) to make grants from the Funds of the University for the purposes of the National Cadet Corps ;
- (xiii) to lay down scales of salaries and conditions of employment of members of the staff in constituent colleges and other recognised institutions, and to ensure the observance of the same through the Executive Council ;
- (xiv) to exercise such powers and perform such duties as may be conferred or imposed upon it by or under this Act ;
- (xvii) [(xv)] to exercise such other powers and perform such other duties as may be necessary to give effect to the provisions of this Act ;
- (xv) [(xvi)] to provide for training for competitive examinations for services under the union or the State Government ;
- (xvi) to endeavour to promote the development of the study of Hindi.

(3) The powers and duties under clauses (i) to (v) of subsection (2) shall not be exercised except upon recommendations made by the Executive Council.

24. (1) The Executive Council shall be the executive ~~Executive~~ authority of the University and shall consist of the following ~~Council~~ persons, namely :—

- (i) the Vice-Chancellor ;
- (ii) the Rector, if any ;
- [(iii) the Treasurer ;]
- (iv) four Deans nominated by the Chancellor by rotation according to seniority ;
- (v) Principals, other than Deans, nominated under item (iv) above of [five] four colleges to be nominated by the Chancellor by rotation according to seniority, one from each category, as follows, namely :—
 - (a) one Principal of a college not maintained by the State Government or by the University ;
 - (b) one Principal of a college for Technical Education ;
 - [(c) one Principal of a College of Music or Fine Arts ;]
 - (d) one Principal of a Womens' College ;
 - (e) one Principal of a College not covered by (a), (b), [(c)] and (d) above ;
- (vi) [Five] three persons, none of whom shall be an employee of the University or of a college, elected by the Court from amongst its members [two of whom] at least one of whom shall be from amongst the registered graduates elected to the Court under item (xx) of subsection (1) of section 21 :

Provided that in the constitution of the first Executive Council their places shall be filled by persons nominated by the Chancellor;

(vii) the Secretary to the Government of Madhya Pradesh, Education Department;

(viii) two persons nominated by the Chancellor.

(2) The term of office of persons becoming members of the Executive Council under items (iv), (v), (vi) and (viii) of sub-section (1) shall, subject to section 62, be as follows, namely:—

(a) persons becoming members under items (iv), (v) and (viii) two years or so long as they continue to hold the posts which qualified them to become such members, whichever is earlier;

(b) persons becoming members under item (vi) three years or so long as they remain members of the Court, whichever is earlier.

(3) Seven members of the Executive Council shall form a quorum.

**Powers and duties
of Executive
Council.**

25. (1) Subject to such conditions as may be prescribed by or under the provisions of this Act, the Executive Council shall have the following powers and perform the following duties, namely:—

- (i) to hold, control and administer the property and funds of the University;
- (ii) to enter into, vary, carry out and cancel contracts on behalf of the University in the exercise or performance of the powers and duties assigned to it by this Act and the Statutes;
- (iii) to determine the form of, provide for the custody and regulate the use of, the common seal of the University;
- (iv) to administer funds placed at the disposal of the University for specific purposes;
- (v) to scrutinise the annual accounts and the annual financial estimates of the University submitted to it by the Finance Committee and subject to limits as may be laid down under sub-section (8) of section 35 by the Finance Committee and to submit them to the Court;
- (vi) subject to clause (viii) of sub-section (1) of section 23 at any time during financial year,—
 - (a) to reduce the amount of the budget grant;
 - (b) to sanction the transfer of any amount within a budget grant from one minor head to another or from a subordinate head under one minor head to a subordinate head under another minor head; or
 - (c) to sanction the transfer of any amount not exceeding rupees five thousand within a minor head from

- one subordinate head to another or from one primary unit to another;
- (vii) to lay before the State Government annually a full statement of the financial requirement of all colleges and hostels;
 - (viii) to admit colleges to the privileges of the University with the previous sanction of the State Government and subject to the provisions of this Act and the Statutes;
 - (ix) to make provision for buildings, premises, furniture, apparatus, books and other means needed for carrying on the work of the University;
 - (x) to accept on behalf of the University trusts, bequests, donations and transfers of any movable or immovable property to the University;
 - (xi) to transfer any movable or immovable property on behalf of the University subject to the provision of the Statutes;
 - (xii) to manage and regulate the finances, accounts and investments of the University;
 - (xiii) to institute—
 - (a) a Printing and Publication Department;
 - (b) an Information Bureau; [and]
 - (c) an Employment Bureau; and
 - (d) Bureaux for Publications and Translation in Hindi.
 - (xiv) to make provision for—
 - (a) (i) extra-mural teaching and research; and
(ii) University extension activities;
 - (b) physical and military training;
 - (c) Students' Union;
 - (d) Sports and athletic activities; and
 - (e) Students welfare;
 - (xv) to institute such professorships, readerships, lecturer-ships or other teaching posts as may be proposed by the Academic Council;
 - (xvi) to abolish or suspend after report from the Academic Council thereon any professorship, readership, lecturer-ship or other teaching posts in the University;
 - (xvii) to manage colleges, departments, institutions of research or specialised studies, laboratories, libraries, museums and hostels maintained by the University;
 - (xviii) to recognise hostels and to provide housing accommodation for teachers of the University;
 - (xix) to arrange for and direct the inspections of affiliated colleges, recognised institutions and hostels, and to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff and payment of adequate salaries, and, in case of disregard of such instructions, to recommend to the Court modifications

of the conditions of affiliation or recognition, or taking of such other steps as it deems necessary and proper in that behalf;

- (xx) to call for reports, returns and other information from affiliated colleges, recognised institutions or hostels;
- (xxi) to supervise and control the admission, conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare;
- (xxii) to recommend to the Court the conferment of honorary degrees and academic distinctions in the manner prescribed by Statutes;
- (xxiii) to award fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (xxiv) save as otherwise provided by this Act, or the Statutes, to appoint the officers (other than the Chancellor, Pro-Chancellor, Vice-Chancellor and the Rector) [and Treasurer,] teachers and other servants of the University, to define their duties and the conditions of their service, and to provide for the filling of temporary vacancies in their posts;
- (xxv) to recognise a member of the staff of an affiliated college or recognised institution as a teacher of the University and withdraw such recognition;
- (xxvi) to appoint examiners, to fix their remuneration and to arrange for the conduct of, and for publishing the results of the University examinations and other tests;
- (xxvii) to fix, demand and receive such fees and other charges as may be prescribed by the Ordinances;
- (xxviii) to make, amend and cancel Ordinances;
- (xxix) to accept, reject or return to the Academic Council for consideration but not amend, Regulations framed by the Academic Council;
- (xxx) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act;
- (xxxi) to delegate by Regulations any of its powers to the Vice-Chancellor, the Rector, the Registrar or such other officer of the University or a Committee appointed by it as it may deem fit.

(2) The Executive Council shall make a report to the Court about all acceptances or transfers of property referred to in clauses (xi) and (xii) of sub-section (1).

(3) The Executive Council shall not transfer or accept transfer of any immovable property without the previous sanction of the Chancellor.

26. (1) The Academic Council shall be the academic body of the University, and shall consist of the following members, namely:—

- (i) the Vice-Chancellor;

- (ii) the Rector, if any;
- [(iii) the Treasurer ;]
- (iv) the [Chairman] Chairmen of the Boards of Studies;
- (v) the Chairman of the Madhya Pradesh Board of Secondary Education;
- (vi) the Deans of Faculties;
- (vii) the Principals of Colleges and schools of studies other than Deans of Faculties,
- (viii) five teachers of the University to be appointed by the Chancellor according to rotation by seniority other than those falling under items (vi) and (vii) provided that at least two such teachers shall be Professors;
- (ix) [three] four persons, not being employees of the University or of a college, co-opted by the Academic Council for their special knowledge in subjects recognised by the University.
- [(x) three persons, none of whom shall be an employee of the University or of a college, elected by the court from amongst its members.]

(2) Fifteen members of the Academic Council shall form a quorum.

(3) The Academic Council shall have power to co-opt as members two persons having special knowledge or experience in the subject matter of any particular business which may come before the Council for consideration. The members so co-opted shall have all the rights of the members of the council in regard to the transaction of the business in relation to which they may be co-opted.

(4) All members of the Academic Council other than *ex-officio* members and members referred to in sub-section (3) shall hold office for a term of three years.

27. (1) The Academic Council shall have the Control and general regulation of, and be responsible for, the maintenance of the standard of teaching, research and examinations within the University.

(2) Without prejudice to the generality of the foregoing provision, and subject to other provisions of this act and such conditions as may be prescribed under this Act, the Academic Council shall exercise the following powers and perform the following duties, namely:—

- (i) to make Regulations in consultation with the Boards of Studies concerned laying down courses of study;
- (ii) to make proposals for allocating subjects to the Faculties and to assign Fellows and its own members to the Faculties;
- (iii) to make proposals for the establishment of departments, institutions of research and specialised studies, libraries, laboratories and museums;

- (iv) to make proposals for the institution of professorships, readerships, lecturerships and any other posts of teachers required by the University and for prescribing the duties and fixing the emoluments of such posts ;
- (v) to make proposals for the institutions of fellowships, scholarships, studentships, exhibitions, medals and prizes and to make Regulations for their award;
- (vi) to make Regulations regarding the examinations of the University and the conditions on which the students shall be admitted to such examinations;
- (vii) to determine and maintain the standards of examinations;
- (viii) to make Regulations prescribing equivalence of examinations;
- (ix) to make Regulations prescribing the manner of granting exemptions from approved courses of studies in the University or in affiliated colleges or recognised institutions for qualifying for degrees, diplomas and other academic distinctions;
- (x) generally to advise the Executive Council on all academic matters and in particular in respect of fees paid to examiners, the number, the qualifications and the emoluments of teachers and admission of colleges to the privileges of the University ; and
- (xi) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act.

(3) The Academic Council may appoint a standing committee composed of not more than one-fifth of the total number of members of the Academic Council. The constitution, powers and functions of the said standing committee shall be determined by the Statutes.

Faculties.

28. (1) The University shall have Faculties of Arts, Science, Law, Education, Engineering, Medicine, Ayurved, Agriculture, Veterinary, Home Science, Commerce and other Faculties as may be prescribed by the Statutes.

(2) Each Faculty shall consist of such members and shall have such powers as may be prescribed by the Statutes.

(3) There shall be a Dean for each faculty who shall be appointed by the Chancellor for a period of two years as follows, namely :—

- (a) where amongst the Heads of the University Department of Studies there are one or more professors or where there is a principal or head of the post graduate department in a constituent college, then such professor, principal or the Head of the post-graduate department, as the case may be, according to seniority determined in accordance with the length of service;

(b) where none of the heads of the department of studies comprised in the faculty is a professor or the principal or the head of the post-graduate studies, then the senior most teacher recognised by the University.]

(3) There shall be a Dean for each faculty who shall be appointed by the Chancellor for a period of two years as follows, namely:—

- (a) where amongst the Principals of constituent colleges there are teachers in any of the subjects assigned to the Faculty—each Principal according to seniority by rotation;
- (b) where amongst the Principals of constituent colleges there is only one Principal teaching any of the subjects assigned to the Faculty—such Principal in the first instance and then each Professor of a constituent college teaching any of the subjects assigned to the Faculty according to seniority by rotation;
- (c) where there is no Principal of a constituent college teaching any of the subjects assigned to the Faculty—each Professor of a constituent college teaching any of the subjects assigned to the Faculty according to seniority by rotation;
- (d) where there is no Principal or Professor eligible under clause (a), (b) or (c)—each Principal of an affiliated college teaching any of the subjects assigned to the Faculty according to seniority by rotation;
- (e) where there is no person eligible under any of the aforesaid clauses—each of the persons according to seniority by rotation from amongst other teachers (not below the rank of lecturer) in any of the subjects assigned to the Faculty.

Explanation.—For purposes of this section, "seniority" in the particular cadre shall be determined by the length of continuous service in such cadre.

29. (1) Each Faculty shall comprise of such Department of Study as may be prescribed by the Ordinances. Departments of Studies.

(2) There shall be a Head of the Department for each Department of Study.

(3) The Vice-Chancellor shall nominate one of the Professors and if there is no Professor, the Dean of the Faculty shall act as the Head of such Department.

(4) The terms and conditions of appointment, duties and functions of the Head of the Department shall be prescribed by the Ordinances.

30. The Constitution, powers and duties of such other authorities as may be declared by the Statutes to be the authorities of the University shall be provided for in the manner prescribed by the Statutes. Other authorities of University.

CHAPTER V—UNIVERSITY BOARDS

Board of studies.

31. (1) There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the Statutes.

[(2) Each Board shall consist of—

- (i) not more than three Heads of the Departments in Constituent Colleges, Schools of Studies, and affiliated institutions, in the subjects for which the Board is constituted, nominated by the Academic Council;
- (ii) such teachers in the said subject appointed in such numbers and in such manner as may be prescribed by the Statutes;
- (iii) persons, who shall not be teachers of the University, to be co-opted by the Board not exceeding such number as may be prescribed by the Statutes].

(2) Each Board shall consist of—

- (i) Heads of University Departments in the subjects for which the Board is constituted;
- (ii) Heads of Departments in the said subjects in Colleges;
- (iii) three members to be co-opted by the Board, one of whom shall be an expert from outside the University and one shall be from a recognised research institution, if any, in the subject for which the Board is constituted.

(3) The Chairman of a Board shall be nominated by the Vice-Chancellor from amongst the members referred to in clause (i) of sub-section (2).

[(4) The total number of members of a Board of Studies shall not be less than three and shall not exceed seven. To increase the number beyond this the sanction of the Chancellor will be necessary.]

Boards to be constituted.

32. (1) There shall be such other Boards in the University as may be prescribed by the Statutes.

(2) The constitution, powers and duties of the Boards shall be prescribed by the Statutes.

CHAPTER VI—FINANCES

University fund.

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

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

[(a) any contribution or grant by Central or State Government;]

- (a) any loan, contribution or grant by Central or State Government or any body corporate;
- (b) the income of the University from all sources including income from fees and charges;
- (c) trusts, bequests, donations, endowments and other grants, if any;
- (d) all other sums received by the University.

(3) The University Fund shall be kept in any Scheduled Bank as defined in the Reserve Bank of India Act, 1934 (No. 11 of 1934), or such other bank as may be approved by the Reserve Bank of India or invested in securities authorised by the Indian Trusts Act, 1882 (No. 11 of 1882), at the discretion of the Executive Council.

(4) Nothing in this section shall in any way affect any obligations accepted by or imposed upon the University by any declarations of trust executed by or on behalf of the University for the administration of any trust.

54. The University Fund shall be applicable to the following objects, and in the following order:—

Objects to which University Fund may be applied.

- (a) to the repayment of debts incurred by the University for the purposes of this Act and the Statutes, the Ordinances and the Regulations made thereunder;
- (b) to the upkeep of colleges, departments established by the University, residence and hostels;
- (c) to the payment of the cost of audit of the University Fund;
- (d) to the expenses of any suit or proceedings to which the University is a party;
- (e) to the payment of the salaries and allowances of the officers and servants of the University, members of the teaching staff and the establishment employed in the colleges and the Departments of the University for and in furtherance of the purposes of this Act, and the Statutes, the Ordinances, and the Regulations made thereunder and to the payment of any provident fund contributions to any such officers and servants, members of the teaching staff or the members of such establishments;
- (f) to the payment of the travelling and other allowances of the members of the Court, Executive Council and the Academic Council and any other Authorities of the University or the members of any Committee or Boards appointed by any of the Authority of the University in pursuance of any provision of the Act, and the Statutes, the Ordinances, and the Regulations made thereunder;
- (g) to the payment of any expense incurred by the University in carrying out the provisions of this Act,

and the Statutes, the Ordinances, and the Regulations made thereunder; and

- (h) to the payment of any grant or any other expense, not specified in any of the preceding clauses, declared by the Court to be the expense for the purposes of the University.

Finance Committee.

35. (1) The Finance Committee shall consist of the following members, namely:—

- (i) The Vice-Chancellor (Chairman).
- (ii) The Rector, if any,
- [(iii) the Treasurer who shall be the convener of the Finance Committee.]
- (iv) the Secretary to Government of Madhya Pradesh, Education Department,
- (iv a) the Secretary to Government of Madhya Pradesh, Finance Department;
- (v) four members of the Executive Council to be elected by the Executive Council one of whom shall be a member elected to the Executive Council by the Court.

(2) Three members of the Finance Committee shall form a Quorum.

(3) The elected members of the Finance Committee shall hold office for a term of three years.

[(4) In the absence of the Chairman, the Treasurer shall preside at the meetings of the Finance Committee. In the absence of the Chairman as well as the Treasurer, the Finance Committee shall choose one of its members to preside at the meeting.]

(4) In the absence of the Chairman, the Finance Committee shall choose one of its members to preside at the meeting.

(5) A member of the Finance Committee shall have the right to record a minute of dissent if he dissents from his colleagues.

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

(7) The annual accounts and the financial estimates of the University [prepared by the Treasurer] shall be laid before the Committee for consideration and comments and thereafter submitted to the Executive Council for approval.

(8) The Finance Committee shall, from time to time, fix limits for the total recurring expenditure and total non-recurring expenditure for the year, based on the resources of the University which, in the case of productive works, may include the proceeds of loans. No expenditure shall be incurred by the University in excess of the limits so fixed without the previous approval of the Finance Committee.

(9) No expenditure other than that provided for in the budget shall be incurred by the University without the previous approval of the Finance Committee.

36. The annual accounts and the financial estimates shall be considered by the Court at its annual meeting and the Court may pass resolutions with reference thereto and communicate the same to the Executive Council which shall take them into consideration, and take such action thereon as it thinks fit. Annual acco
and financial
estimates.

CHAPTER VII.—STATUTES, ORDINANCES AND REGULATIONS

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

- (a) the constitution, powers and duties of such bodies as may be deemed necessary to constitute from time to time ;
- (b) the manner of election or appointment and term of office of the members of the bodies referred to in clause (a), including the continuance in the office of the first members, and filling of vacancies of members and all other matters relating to those bodies for which it may be necessary or desirable to provide ;
- (c) powers of the Vice-Chancellor ;
- (d) powers and duties of the Rector, if any, the Registrar, and other officers and servants of the University and the conditions of their service ;
- (e) the constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of the officers, teachers, and other employes of the University ;
- (f) the holding of convocation to confer degrees ;
- (g) conferment of honorary degrees ;
- (h) the withdrawal of degrees, diplomas, certificates, and other academic distinctions ;
- (i) the establishment and abolition of Faculties, hostels, colleges, schools of studies and institutions maintained by the University ;
- (j) the conditions under which colleges and other institutions may be admitted to the privileges of the University and the withdrawal of such privileges ;
- (k) qualifications of professors, readers, assistant professors, lecturers and other teachers in affiliated Colleges and recognised institutions ;

- (l) the administration of endowments, and the institution and conditions of award of fellowships, scholarships, studentships, exhibitions, bursaries, medals, prizes and other award ;
- (m) the classification and mode of appointment of the teachers of the University ;
- (n) the emoluments and terms and conditions of service of officers and the emoluments and terms and conditions of service other than pay scales of teachers of the University ;
- (o) the maintenance of a register of registered graduates; [and]
- (o-i) establishment and constitution of Bureaux for Publications and Translation in Hindi; and
- (p) all other matters which by this Act are to be or may be provided for by the Statutes.

Statutes how made,

38. (1) The first Statutes of the University shall be prepared by a Committee to be constituted under section 43.

(a) The Court may, from time to time, make, amend or repeal any Statute by passing Statute in the manner hereinafter appearing.

(b) The Court may take into consideration the draft of a Statute either on its own motion or on a proposal made by the Executive Council. In the case of a draft which is not prepared by the Executive Council the Court shall, before considering the same, obtain the opinion of the Executive Council :

Provided that if the Executive Council fails to submit its opinion within three months from the date it received the draft, the Court may proceed to take the draft into consideration.

(4) Where a draft is proposed by the Executive Council the Court may approve of such draft and pass the Statute or reject it or return it to the Executive Council for reconsideration either in whole or in part together with any amendment which the Court may suggest.

(5) After any draft returned under sub-section (4) has been further considered by the Executive Council together with any amendment suggested by the Court it shall again be presented to the Court with a report of the Executive Council thereon and the Court may then deal with the draft in any way it thinks fit.

(6) The Executive Council shall not propose the draft of any statute or of any amendment of a statute or of the repeal of any statute.

(a) affecting the status, power or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion upon the proposal; or

- (b) affecting the conditions of admission of colleges to the privileges of the University, until the Academic Council has been given an opportunity of expressing an opinion upon the proposal;

and such opinions shall be forwarded by the Executive Council to the Court along with any draft it may propose.

(7) Where the draft of any Statute or any amendment of a Statute or the repeal of any statute has not been proposed by the Executive Council, the Court shall not take into consideration such draft if it affects—

- (a) the status, power or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion upon the proposal; or
- (b) the conditions of admission of colleges to the privileges of the University, until the Academic Council has been given an opportunity of expressing an opinion upon the proposal.

(8) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall be submitted to the Chancellor who may give or withhold his assent thereto or refer it back to the Court for further consideration.

(9) No statute shall be valid or come into force until assented by the Chancellor.

39. 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 students to colleges, schools of studies and laboratories and levy of fees and their enrolment;
- (ii) the courses of study to be laid down for all degrees, diplomas and certificates of the University;
- (iii) the degrees, diplomas, certificates and other academic distinctions to be awarded by the University, the qualifications for the same, and the means to be taken relating to the granting and obtaining of the same;
- (iv) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;
- (v) the conditions of the award of fellowships, scholarships, studentships, exhibitions, medals and prizes, etc.;
- (vi) laying down conditions for appearing at examinations for degrees, diplomas, certificates and other academic distinctions;
- (vii) laying down conditions for conferral of degrees and other academic distinctions for research;

- (viii) the conduct of examinations, including the terms of office, and manner of appointment and duties of examining bodies, paper setters, examiners and moderators;
- (ix) the maintenance of discipline among the students of the University;
- (x) the conditions of residence of the students of Colleges, Schools of Studies and the levy of fees for residence in hostels;
- (xi) the recognition and inspection of hostels;
- (xii) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students, and prescribing for them special courses of study;
- (xiii) giving of religious instruction;
- (xiv) the management of colleges and other institutions founded or maintained by the University;
- (xv) the supervision and inspection of colleges and other institutions admitted to the privileges of the University;
- (xvi) number, qualification and conditions of appointment including pay scales of teachers of the University;
- (xvii) the duties and powers of the Boards and Committees to be appointed by the University jointly with any other University or body;
- (xviii) the rules to be observed and enforced by affiliated colleges and recognised institutions in respect of transfer of students;
- (xix) the registers of students to be kept by affiliated colleges and recognised institutions;
- (xx) the duties of teachers of the University;
- (xxi) the mode of execution of contracts or agreements by or on behalf of the University; and
- (xxii) all other matters which by this Act or the Statutes are to be or may be provided for by the Ordinances:

Provided that no ordinance under item (xvi) shall be made without the prior approval of the State Government under section 62.

Ordinances how made.

40. (1) All Ordinances except the first Ordinances shall be made by the Executive Council.

(2) Any Ordinance made by the Executive Council shall be submitted to the Chancellor for his approval and he may either sanction or disallow it.

(3) Where an Ordinance has been sanctioned by the Chancellor it shall come into effect on the date next following the date of the sanction or such other prospective date as may be specified by the Chancellor in this behalf.

(4) Every Ordinance approved by the Chancellor shall be laid before the Court.

(5) The Ordinance shall cease to have effect if the Court passes a resolution to that effect by a majority of two-thirds of members present and voting from the date of such resolution.

41. (1) Notwithstanding anything contained in sub-section (1) of section 40 no Ordinance shall be made-- Procedure regarding Ordinances.

(a) affecting the admission of students, or prescribing examinations to be recognised as equivalent to the University examination or the further qualifications mentioned in sub-section (1) of section 46 for admission to the degree courses of the University, unless a draft of the same has been proposed by the Academic Council; or

(b) affecting conditions and mode, of appointment and duties of examiners and the conduct or standard of examinations or any course of study, except in accordance with a proposal of the faculty or faculties concerned and unless a draft of such Ordinance has been proposed by the Academic Council; or

(c) affecting the number, qualifications and emoluments of teachers of the University unless a draft of the same has been proposed by the Academic Council.

(2) The Executive Council shall not have power to amend any draft proposed by the Academic Council under sub-section (1) but may reject the proposal or return the draft to the Academic Council for reconsideration, either in whole or in part, together with any amendments which the Executive Council may suggest.

(3) After any draft returned under sub-section (2) has been further considered by the Academic Council together with any amendment suggested by the Executive Council, it shall be again presented to the Executive Council with a report of the Academic Council thereon and the Executive Council may then deal with the draft in such manner as it may think fit.

(4) Where the Executive Council has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may appeal to the Chancellor and the Chancellor may, by order, direct that the proposed Ordinance shall be laid before the next meeting of the Court for its approval and may also direct that it shall have effect from such date as may be specified in the order pending such approval.

(5) The resolution of the Court accepting or rejecting the Ordinance shall be final and shall have effect from the date of passing of the resolution.

Regulations.

42. (1) The authorities and other bodies of the University may make regulations consistent with this Act, the Statutes and the Ordinances—

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

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

(3) The Executive Council may modify or annul any Regulation made under this section by any authority or body other than the Court :

Provided that any authority or body of the University which is not satisfied with any such modifications or annulment may appeal to the Court whose decision in this matter shall be final.

Committee to draw up first Statutes, Ordinances and Regulations.

43. Notwithstanding anything in sections 40 and 42 the first Statutes, Ordinances and Regulations shall be drawn up by a committee consisting of the Vice-Chancellor, Secretary to Government in the Education Department, Secretary to Government in the Law Department, one person nominated by the Chancellor and one person nominated by the State Government. These first Statutes, Ordinances and Regulations shall come into force on such date as the Chancellor may direct.

CHAPTER VIII.—ENROLMENT AND DEGREES, ETC.

Residence of Students.

44. Every student of the University shall reside in a hostel, or elsewhere under such conditions as may be prescribed by the Statutes and Ordinances.

Hostels.

45. (1) Hostels other than those maintained by the University shall be such as may be recognised by the Executive Council on such general or special conditions as may be prescribed by the Ordinances.

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

(3) The condition of residence in hostels shall be prescribed by the Ordinances, and every hostel shall be subject to inspection by any authority or officer of the University authorised in this behalf by the Executive Council.

(4) The Executive Council shall have power to suspend or withdraw the recognition of any hostel on the ground that it is not conducted in accordance with the conditions prescribed by the Ordinances:

Provided that no such action shall be taken without affording the managing authority of such hostel an opportunity of making such representation as it may deem fit.

46. (1) Students shall not be eligible for admission to a course of study for a degree unless they have passed the final examination held under the Madhya Pradesh Secondary Education Act, 1959 (No. 10 of 1959) or an examination recognised in accordance with the provisions of this section as equivalent thereto and possess such further qualifications as may be prescribed by the Ordinances and have been enrolled as students of the University. Admission to University Courses.

(2) The University may with the previous sanction of the State Government, recognise for the purpose of admission to a course of study for a degree, as equivalent to its own degrees, any degree conferred by any other University, or, as equivalent to the final examination held under the Madhya Pradesh Secondary Education Act, 1959 (No. 10 of 1959) any other examination.

(3) Unless exempted from the provisions of this sub-section by a special order of the Executive Council, made on the recommendation of the Academic Council, no student shall be admitted to a course of study leading up to a degree unless he is enrolled as a member of a College, and any such exemption may be made subject to such conditions as the Executive Council may think fit.

(4) Students exempted from the provisions of sub-section (3) and students admitted in accordance with the conditions prescribed by the Ordinances to courses of study other than courses of study leading to a degree, shall be non-collegiate students of the University.

47. (1) Subject to the provisions of the Statutes, all arrangements for the conduct of examinations shall be made by the Academic Council and all examiners shall be appointed by the Executive Council on the recommendation of a Committee consisting of the following members:— Examinations.

- (i) the Dean of the Faculty concerned who shall be the Chairman of the Committee ;
- (ii) the Chairman of the Board of Studies concerned ;
- (iii) a member of the Board of Studies concerned to be nominated for the purpose by that body each year.

(2) If during the course of an examination any examiner becomes for any cause incapable of acting as such, the Vice-Chancellor shall appoint an examiner to fill the vacancy.

(3) The Academic Council shall appoint examination committees consisting of members of its own body or other persons, or both, as it thinks fit, to moderate examination questions, to prepare the results of examinations and to report such results to the Executive Council for publication.

(4) The Chairman of any such Committee shall be appointed by the Academic Council from among its own body.

Inspection of
Colleges and
reports.

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

(2) The Executive Council shall cause such college or institution to be inspected from time to time by one or more competent persons authorised by the Executive Council in this behalf.

(3) The Executive Council may call upon any such college or institution so inspected to take, within a specified period such action as may appear to it to be necessary.

Registered
graduates.

49. The following persons shall on payment of such fees as may be prescribed by the Statutes, be entitled to have their names enrolled in the register of Registered Graduates to be nominated in such form as may be prescribed by the Statutes—

(a) any graduate of the University of at least three years' standing ;

[(b) any graduate of any other University, incorporated by law in India who has been residing in the area comprised within the revenue district of Indore for a period of not less than ten years :

Provided that before taking any such decision the Chancellor shall give the person or persons affected thereby a reasonable opportunity of being heard.]

(b) any graduate of atleast three years standing of any other University incorporated by law in India and residing in Madhya Pradesh.

CHAPTER IX.—AUDIT

Annual reports.

50. The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or before such date as may be prescribed by the Statutes, and shall be considered by the Court at its annual meeting. The Court may pass resolutions thereon and communicate the same to the Executive Council.

Audit of accounts.

51. (1) The accounts of the University shall, at least once in every year, at intervals of not more than fifteen months, be audited by the Examiner of Local Fund Accounts of the State.

(2) The accounts, when audited, shall be published in the Gazette and a copy of the accounts together with the audit report shall be submitted by the Executive Council to the Court and the State Government.

CHAPTER X.—SUPPLEMENTARY PROVISIONS

52. If any question arises regarding the interpretation of any provisions of this Act or of any Statute, Ordinance or Regulation or as to whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final:

Disputes as to constitution of University authorities and bodies.

Provided that before taking any such decision the Chancellor shall give the person or persons affected thereby a reasonable opportunity of being heard.

Explanation.—In this section the expression "body" includes any committee constituted by or under the Act.

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

Constitution of committees.

54. Save as otherwise provided in this Act, 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, in accordance with the provisions of this Act by the person or body who appointed, elected or co-opted the member whose place has become vacant, and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

Filling of casual vacancies.

55. No act or proceedings of any authority or other body of the University shall be invalidated on account of any vacancy in the membership or any defect in the election, nomination or appointment of any member of any authority, committee or body of the University or any defect or irregularity in any such act or proceeding not affecting the substance.

Proceedings of University authorities and bodies not invalidated by vacancies.

56. (1) Every salaried officer and teacher of the University shall be appointed under a written contract which shall be lodged with the University and a copy thereof furnished to the Officer or teacher concerned.

Conditions of service.

(2) Any dispute arising out of a contract between the University and any of its officers or teachers shall, at the request of the officer or the teacher concerned or at the instance of the University be referred by the Chancellor to a tribunal of arbitration consisting of one member appointed by the Executive Council, one member nominated by the Officer or teacher concerned and an umpire appointed by the Chancellor, and the decision of the tribunal shall be final.

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

Pension and Provident Fund.

(2) Where any such pension, insurance or provident fund has been so constituted or where any such pension, insurance or provident fund has been constituted by a college under rules which have been approved by the State Government, the State Government may declare that the provisions of the Provident Funds Act, 1925 (No. XIX of 1925) shall apply to such fund as if it were a Government Provident Fund.

Protection of acts and orders.

[58. All acts orders *bonafide* done and passed by the University shall be final and no suit shall be instituted or damage claimed for anything done or omitted, in pursuance of the Act, Statutes, Ordinances and Regulations.]

Protection of Acts and orders.

58. All Acts and orders duly and in good faith done and passed by the University or any of its authorities, bodies or officers shall be final; and no suit shall be instituted against or damage claimed from the University or its authorities, bodies or officers for anything purporting to be done in pursuance of the Act and the Statutes Ordinances and Regulations.

Colleges.

59. All colleges within the territorial jurisdiction of the University which immediately prior to the commencement of this Act were admitted to the privileges of any other University established by law shall be deemed to be admitted to the privileges of the University on the commencement of this Act in accordance with the provisions thereof [:]:—

[Provided that all students of any such College or institution who were studying or were eligible for any examination of any other Indian University or Board incorporated by law shall be permitted to complete their course in preparation therefor and the University shall provide for such students instructions and examinations in accordance with the prospectus of studies of such other Indian University or Board, as the case may be.]

Completion of course of students in colleges affiliated to Vikram University.

59-A. Notwithstanding anything contained in this Act or the Statutes, Ordinances and Regulations made thereunder,—

(i) any student of a college situate within the territorial limits of the University and affiliated to the Vikram University, or

(ii) any other student,

who immediately prior to the date of the coming into force of this Act was studying or was eligible, as the case may be, for any examination of the Vikram University, shall be permitted to complete his course in preparation therefor, and the University shall provide for such period not exceeding three years and in such manner as may be prescribed by the Statutes for the instruction, teaching, training and examination of such students in accordance with the course of studies of the Vikram University.

60. (1) [The first Vice-Chancellor] Notwithstanding any-thing contained in this Act the first Vice-Chancellor shall, for a period of one year from the date of his appointment, have the following powers, namely:— Extraordinary powers of first Vice-Chancellor.

- (a) with the previous approval of the [Pro-Chancellor] State Government, to make additional Statutes to provide for any matter not provided for by the first Statutes; [in the Schedule;]
- (b) to constitute provisional authorities and bodies, and on their recommendations to make rules providing for the conduct of the work of the University;
- (c) subject to the control of the State Government, to make such financial arrangements as may be necessary to enable this Act or any part thereof to be brought into operation;
- (d) with the sanction of the [Pro-Chancellor,] State Government, to make such appointments as may be necessary to enable this Act or any part thereof to be brought into operation;
- (e) with the previous sanction of the [Pro-Chancellor,] State Government, to appoint committee, as he may think fit, to discharge such of his functions as he may direct; and
- (f) generally to exercise all or any of the powers conferred on the Executive Council by this Act or the Statutes.

(2) Any orders passed by the Vice-Chancellor in exercise of the powers conferred by items (b), (d) and (e) of sub-section (1) shall cease to have effect after the expiry of the period of one year from the date of the appointment of the Vice-Chancellor.

[61. No person shall be appointed by the Executive Council as a salaried teacher of the University, except on the recommendation of a Selection Committee constituted for the purpose in accordance with the provisions of the Statutes.] Appointment of teachers by Executive Council.

61. (1) No person shall be appointed as a teacher of the University except on the recommendation of a Committee of Selection constituted for the purpose. Committee of selection for appointment of teachers of University.

(2) The members of the Committee of Selection for Professors, Readers and Assistant Professors shall be—

- (i) the Vice-Chancellor-ex-Officio Chairman ;
- (ii) Head of the University Department of teaching concerned;
- (iii) one member having special knowledge of the subject elected by the Executive Council from amongst persons who are not connected with the University;

(iv) two members elected by the Academic Council one of whom shall be a member of the Faculty concerned and the other a person not connected with the University having special knowledge of the subject; and

(v) one member nominated by the Chancellor being a person having special knowledge of the subject and not connected with the University.

(3) The Committee shall investigate the merits of the various candidates, including any eminent person who may not have applied, and shall recommend to the Executive Council the names, if any, of persons whom it considers suitable for the posts arranged in the order of merit.

(4) The Selection Committee for lecturers shall be constituted by the Chancellor in such manner and consisting of such persons as may be prescribed by Statutes.

(5) Out of the persons so recommended under sub-section (3) or sub-section (4), as the case may be, the Executive Council shall make the final selection :

Provided that, where the Executive Council proposes to make the appointment of Professors, Readers, or Assistant Professors otherwise than in accordance with the order of merit arranged by the Committee, the Executive Council shall record its reasons in writing and submit its proposal for the sanction of the Chancellor.

Salaries of
teachers.

62. The payment of salaries to the teachers of the University shall be in accordance with scales fixed by the Executive Council by Ordinances with the prior approval of the State Government.

Approved for
imparting
Instructions.

[63. No person shall impart instruction in the University or in any college unless such person possesses the qualifications laid down by the Academic Council in that behalf. A person shall be qualified to impart instruction only in the subject or subjects and up to the standard for which his teaching has been approved by the Academic Council.]

Approved for
imparting instruc-
tions.

63. No person shall impart instructions in the University or in any college—

(a) unless such person possesses the qualifications laid down by the Academic Council in that behalf, and

(b) except in such subject or subjects and upto the standard for which his qualifications have been approved by the Academic Council.

Professors and
Readers.

64. (1) The Professors [and], Readers and Assistant Professors, respectively shall be of two classes, namely:—

(i) Appointed [Professors and Readers] Professors, Readers and Assistant Professors;

- (ii) recognised [Professors and Readers] Professors, Readers and Assistant Professors.
- (2) "Appointed [Professors and Readers] Professors, Readers and Assistant Professors" shall be either—
- (i) servants of the University paid by the University and appointed by the Executive Council as [Professors or Readers] Professors, Readers or Assistant Professors; or
- (ii) persons appointed by the Executive Council as Honorary [Professors or Readers] Professors, Readers or Assistant Professors for their scholarship and high intellectual attainments.
- (3) Recognised [Professors and Readers] Professors, Readers and Assistant Professors shall be such members of the staff of colleges, not maintained by the University, as may be recognised by the Executive Council as [Professors or Readers] Professors, Readers or Assistant Professors in accordance with the provisions contained in section 65.

65. (1) The head of a college not maintained by the University on behalf of a member of the staff of such college or any such member, may apply to the Executive Council for recognising such member as a [Professor or Reader] Professor, Reader or Assistant Professor, if he—

Recognition of Professors, [and] Readers and Assistant Professors.

- (i) possesses such qualifications as may be laid down by the Academic Council as necessary for qualifying a teacher for imparting instructions to post-graduate classes;
- (ii) receives or is to be paid salary according to the scale approved by the University respectively for [Professors and Readers] Professors, Readers and Assistant Professors of constituent colleges not maintained by the University.
- (2) On receipt of such application, the Executive Council shall forward it to the Committee constituted under section 61.
- (3) The committee referred to in section 61 shall, as soon as may be, consider the application and return the same with its recommendations to the Executive Council.
- (4) The Executive Council shall thereupon pass orders in terms of the advice of the committee referred to in sub-section (3).
- (5) Notwithstanding anything contained in the foregoing sub-sections, a teacher satisfying the qualifications under sub-section (1) who has been employed in his institution either on the recommendation of the State Public Service Commission or the Executive Council shall, on making an application be recognised by the Executive Council as [Professor or Reader] Professor, Reader or Assistant Professor, as the case may be.

66. (1) Wherever in accordance with this Act, any person is to hold an office or be a member of an authority by rotation

Term of office of member of University, authority of University.

according to seniority, such seniority, in the absence of any provisions of this Act, the State Government, as occasion may accordance with the Statutes.

(2) Whenever any person becomes a member of any authority by virtue of the office held by him, he shall forthwith cease to be a member of such authority if he ceases to hold such office before the expiry of the term of his membership:

Provided that he shall not be deemed to have ceased to hold his office merely by reason of his proceeding on leave for a period not exceeding four months.

Resignation of
member or
Officer of
University.

67. (1) Any member, other than an *ex-officio* member of the Court, the Executive Council, the Academic Council or any other University Authority or Committee, or a Dean of a Faculty, may resign by letter addressed to the Registrar, and the resignation shall take effect as soon as the letter is received by the Registrar.

(2) Any officer of the University, whether salaried or otherwise, other than a Dean, may resign his office by letter addressed to the Registrar. Such resignation shall take effect only from the date on which the same is accepted by the authority competent to fill the vacancy.

Amendment of
section 5, Madhya
Bharat Act, 18 of
1955.

68. In sub-section (1) of section 5 of the Madhya Bharat Vikram University Act, 1955 (18 of 1955), the word "Indore" shall be omitted.

Removal of
difficulties.

69. If any difficulty arises as to the first constitution or re-constitution of any authority of the University after the commencement of this Act or otherwise in first giving effect to the provisions of this Act, the State Government, as occasion may require, may by order do anything which appears to it necessary for the purpose of removing the difficulty.