

**The Maharashtra
Public Universities
Act, 2015**

DRAFT

L. A. BILL No. OF 2015

A BILL

Mah.xxxv of 1994. *to regulate the non-agricultural and non-technological state universities in the State of Maharashtra in more effective manner, simultaneously providing more scope in social and educational spheres to the universities in the State, by establishing full-fledged sub-campuses of the universities, for establishing the Authority, namely, the Maharashtra State Commission for Higher Education and Development, providing for various Boards, by repealing the Maharashtra Universities Act, 1994 and for matters connected therewith or incidental thereto.*

WHEREAS the State Government had appointed the three Committees, namely, the Kakodkar Committee, the Nigwekar Committee and the Takwale Committee to recommend on different aspects of higher education in the State of Maharashtra;

AND WHEREAS the said Committees submitted comprehensive reports and made recommendations of far-reaching implications;

AND WHEREAS to collate and harmonize the reports and identify the actionable points, the state Government appointed the Review Committee headed by Dr. Kumud Bansal as the Chairperson;

AND WHEREAS after considering the above said recommendations of the Committees, the Government of Maharashtra considers it expedient to make a law in respect of higher education for creating a pathway for transforming higher education into socio-economic development force, and to make a progressive law in respect of the non-agricultural and non-technological universities in the State for strengthening and regulating such public universities to enable them to perform in a better manner so that they would effectively carry out with responsibility the widened spheres of the universities, to bring the standard of the universities at the state of the art level and to provide for matters connected therewith or incidental thereto; it is hereby enacted in the Sixty-sixth Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

Short title and commencement.

1. (1) This Act may be called the Maharashtra Public Universities Act, 2015.
(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Definitions.

2. In this Act, unless the context otherwise requires, -
(1) "academic services unit" means university science and instrumentation centre, academic staff college, computer centre, university printing press or

- any other unit providing specialized services for the promotion of any of the objectives of the university;
- (2) “adjunct professor”, “adjunct associate professor” or “adjunct assistant professor” means a person from industry, trade, agriculture, commerce or any other allied field who is so designated during the period of collaboration or association with the university;
 - (3) “affiliated college” means a college which has been granted affiliation by the university;
 - (4) “authorities” means the authorities of the university as specified by or under this Act;
 - (5) “autonomy” means a privilege of the university conferred by the Statutes to permit a college, institution or a university department to conduct academic programmes and examinations, develop syllabus for the respective subjects and issue certificates of passing the examinations, etc.;
 - (6) “autonomous college”, “autonomous institution” or “autonomous department” means a college, institution or department to which autonomy is granted and is designated to be so by the Statutes;
 - (7) “bodies” means the bodies of the university formed by the respective authorities;
 - (8) “Chancellor” and “Vice-Chancellor” mean, respectively, the Chancellor and the Vice-Chancellor of the university;
 - (9) “collaboration” means collaborative academic activity of the university with other universities, academic institutions including local, regional, national or international institutions, research institutions and organizations in the field of agriculture, industry, trade and commerce;
 - (10) “college” means a college affiliated to the university, situated in the university area or jurisdiction;
 - (11) “College Development Committee” means the committee constituted for development of colleges under the provisions of this Act;
 - (12) “conducted college” means a college maintained and managed by the university;
 - (13) “Denotified Tribes (*Vimukta Jatis*)” means tribes declared as such by the State Government, from time to time;
 - (14) “department” means a department teaching a particular subject or a group of subjects in a college or an institution as prescribed in the Statutes;
 - (15) “Director” means a head of an institution including a centre or a school of the university as designated by the Management Council or a head of a recognized institution;
 - (16) “Director of Higher Education” and “Director of Technical Education” means, respectively, Director of Higher Education, Maharashtra State and Director of Technical Education, Maharashtra State;
 - (17) “Empowered Autonomous College” means a college that has acquired ‘A’ grade with cumulative grade point average above 3 or an equivalent grade in the assessment made by National Assessment and Accreditation Council or by any other recognized assessment and accreditation agency, and is given the status of empowered autonomous college by the university to which it is affiliated;

- (18) “Empowered Autonomous Cluster Institutions” means a group of colleges or institutions of the same management or educational society that have acquired ‘A’ grade with cumulative grade point average above 3 or an equivalent grade in the assessment made by National Assessment and Accreditation Council or by any other recognized assessment and accreditation agency, and is given the status of empowered autonomous cluster institutions by the university to which it is affiliated;
- (19) “fee” means tuition fees, other fees and charges, including developmental charges;
- (20) “Head of the University Department”, “Head of the Institution” and “Head of the College Department” mean respectively, a head of the university department, a head of the recognized institution and a head of the college department, as prescribed in the Statutes;
- (21) “higher education” means the pursuit of knowledge beyond learning at the stage of higher secondary school education;
- (22) “hostel” means a place of residence for the students of the university or a college or an institution, provided, established, maintained by the university or college or institution, as the case may be;
- (23) “institution” means an academic institution of higher learning, not being a college, associated with and admitted to the privileges of the university;
- (24) “Knowledge Resource Centre” means a library established by the university on the campus or sub-campuses of the university to hold in print, electronic and audio-video format material, monographs, reference volumes, text and review books, all type of journals and any other material in various format useful for education, research, extension services or for similar purposes;
- (25) “Maharashtra State Commission for Higher Education and Development” means a Commission constituted under the provisions of this Act;
- (26) “Management” means the trustees or the managing or governing body, by whatever name called, of any trust registered under the Bombay Public Trusts Act, 1950 or any society registered under the Societies Registration Act, 1860 or a Company registered under section 8 of the Companies Act, 2013, under the management of which one or more colleges or recognized institutions or other institutions of higher learning, are conducted and admitted to the privileges of the university:
- Provided that, in relation to any college or institution established or maintained by the Central Government or the State Government or a local authority like a *Zilla Parishad*, municipal council or municipal corporation, it means, respectively, the Central Government or the State Government or *Zilla Parishad* or the municipal council or the municipal corporation, as the case may be;
- (27) “Nomadic Tribes” means tribes wandering from place to place in search of their livelihood, as declared by the State Government, from time to time;
- (28) “non-vacational academic staff” means such staff as the State Government may classify to be non-vacational academic staff and includes all such staff which is complimentary to academic staff but, shall not include the staff engaged purely in discharging administrative functions;
- (29) “Other Backward Classes” means any socially and educationally backward

- classes of citizens as declared by the State Government and includes Other Backward Classes declared by the Government of India in relation to the State of Maharashtra;
- (30) “post-graduate department” means a department in a college or institution of higher learning, research or specialized studies, recognized to be so by the university and imparting post-graduate instruction or guidance for research;
- (31) “prescribed” means prescribed by Statutes or Ordinances or Regulations , as the case may be, made by or under this Act;
- (32) “Principal” means a head of a college, duly approved by the university;
- (33) “Provost” means the academic and administrative officer, next to the Vice-Chancellor having purview of the entire university;
- (34) “recognized institution” means an institution of higher learning, research or specialized studies and recognized to be so by the university;
- (35) “registered graduate” means a graduate of a university registered or deemed to be registered by or under this Act with one of the universities;
- (36) “Schedule” means the schedule to this Act;
- (37) “Scheduled Castes” means such castes, races or tribes or parts of, or groups within, such castes, races or tribes as are deemed to be Scheduled Castes, in relation to the State of Maharashtra under Article 341 of the Constitution of India;
- (38) “Scheduled Tribes” means such tribes or tribal communities or parts of or groups within, such tribes or tribal communities as are deemed to be Scheduled Tribes in relation to the State of Maharashtra under Article 342 of the Constitution of India residing in any part of the State of Maharashtra;
- (39) “school” means a school of studies maintained by or recognized as such by the university;
- (40) “Special Backward Category” means socially and educationally backward classes of citizens declared as a special backward Special Backward Category by the State Government;
- (41) “State” means the State of Maharashtra;
- (42) “State Government” means the Government of Maharashtra;
- (43) “Statutes”, “Ordinances” and “Regulations” mean, respectively, the Statutes, Ordinances and Regulations of the university, made by or under this Act;
- (44) “Students’ Council” means the Students’ Council established under this Act;
- (45) “teacher” means full-time approved professor, associate professor, assistant professor, reader, lecturer, librarian, principal, Director of an institution, Director of Centre of Lifelong Learning, Value Education and Life Skills Development, deputy or assistant librarian and documentation officer in the university, college librarian, Director or instructor of physical education in any university department, conducted, affiliated or autonomous college, autonomous institution or department or recognized institution of the university;
- (46) “Tribunal” means the tribunal established under this Act;
- (47) “university” means any of the public universities mentioned in the Schedule;

- (48) “university area” means the area specified against the name of the university in the Schedule;
- (49) “university department” means a department established and maintained by the university as prescribed by the Statutes;
- (50) “University Grants Commission” means the University Grants Commission established under the University Grants Commission Act, 1956;
- (51) “university institution” means a centre, a school, or an institute established and maintained by the university as prescribed by the Statutes;
- (52) “university teacher” means a teacher appointed by the university.

CHAPTER II

PUBLIC UNIVERSITIES

Incorporation of universities.

3. (1) Each of the existing public universities specified in column (1) of Part I of the Schedule, with effect from the date of commencement of this Act, shall be deemed to be constituted under this Act for the same area specified in column (2) of the said part, for which it was constituted immediately before the date of commencement of this Act.
- (2) The State Government may, from time to time, by notification in the *Official Gazette*, constitute any new university under this Act by such name, for such area and with effect from such date, as may be specified by it, and insert necessary entries in Part II of the Schedule; and may for that purpose or any other purposes specified in that behalf diminish, increase or alter the area of any existing or new university, by suitably amending the Schedule, by the said notification, and thereupon the entries in column (2) of Part I, or in column (2) of Part II, as the case may be, of the Schedule, shall stand amended accordingly, and all educational institutions, whether colleges, institutions, autonomous or empowered autonomous colleges, empowered autonomous cluster institutions, post-graduate departments, schools on the sub-campus, by whatever name called, within the area of the new university, which are affiliated to or recognized by the existing university shall, from the date aforesaid, stand affiliated to or recognized by the new university:

Provided that, no such notification shall be issued except on a resolution passed by both Houses of the State Legislature.
- (3) Notwithstanding anything contained in sub-section (2), if, in the exigency of circumstances the new university considers it expedient that certain privileges of the existing university to which such educational institutions as referred to in sub-section (2), were entitled immediately before the date specified under the said sub-section, should be continued for a certain period, not exceeding a period of five years in the aggregate, after the date aforesaid, the new university may accordingly forward its recommendations to the State Government and on receipt of such recommendations the State Government may, if it is satisfied that such privileges should be so continued, by notification in the *Official Gazette*, provide that for such

period, as may be specified in the notification, such privileges shall continue.

(4) The Chancellor, Vice-Chancellor, Provost, Registrar, members of the Senate, Management Council and Academic Council for the time being holding office as such in each university are hereby constituted and declared to be a body corporate by the name specified therefor in the Schedule and shall have perpetual succession and a common seal and may by that name sue and be sued.

(5) Each university shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer or dispose of any movable or immovable property, which may vest in or be acquired by it for the purposes of the university, and to contract and do all other things necessary for the purposes of this Act:

Provided that, no such lease, sale or transfer of such property shall be made without the valuation made thereof by the approved valuer appointed by the university and without the prior consent of the State Government.

Objects of university.

4. The objects of the university, in general, shall be to disseminate, create and preserve knowledge and understanding by teaching, research and development, skill development training and education, extension and service and by effective demonstration and influence of its corporate life on society in general, and in particular, the objects shall be to, –

(1) carry out its responsibility of creation, preservation and dissemination of knowledge;

(2) promote discipline and the spirit of intellectual inquiry and to dedicate itself as a fearless academic community to the sustained pursuit of excellence;

(3) encourage individuality and diversity within a climate of tolerance and mutual understanding;

(4) promote freedom, secularism, equality and social justice, as enshrined in the Constitution of India, and to be catalyst in socio-economic transformation by promoting basic attitudes and values of essence to national development;

(5) extend the benefits of knowledge and skills for development of individuals and society by associating the university closely with local, regional and national problems of development;

(6) carry out social responsibility as an informed and objective critic, to identify and cultivate talent, to train the right kind of leadership in all walks of life and to help younger generation to develop right attitudes, interests and values;

(7) promote equitable distribution of teaching, learning, training and other support services facilities of higher education;

(8) provide for efficient and responsive administration, scientific and technology management and develop organization of teaching, learning, training, research and extension;

(9) devise motivational systems to ensure that individual cognitive abilities are not constrained but rather the innovative spirit and desire to make true contribution and realize self-achievement is nurtured;

(10) promote acquisition of knowledge in a rapidly developing and changing society and to continually offer opportunities of upgrading knowledge,

training and skills in the context of innovations, research and discovery in all fields of human endeavour by developing a higher educational network with use of modern communication media, information and communication technology and other emerging and future technologies appropriate for a learning society;

- (11) promote national integration and preserve cultural heritage;
- (12) develop work culture and promote dignity of labor through applied components in the syllabi;
- (13) build up financial self-sufficiency by undertaking academic teaching, training and allied programmes, research and development activities for public and private industries, Governmental organizations at a local, regional, national and global level and resource generative services in a cost-effective manner;
- (14) promote better interaction and co-ordination among different universities, institutions and colleges in the given university, other universities in the State, in the region, in the nation and at global level by all such means generally to improve the governance of the university and facility it provides for higher education;
- (15) generate and promote a sense of self-respect and dignity amongst the weaker sections of the society;
- (16) strive to promote competitive merit and excellence as the sole guiding criterion in all academic and other matters relating to students.

Powers and duties of university.

- 5. The university shall have the following powers and duties, namely: -
 - (1) to provide for instructions in teaching, learning and training in such branches or subjects or disciplines and courses of study in a choice based credit system and in any other system that may emerge in future, as the university may, from time to time, determine;
 - (2) to make provision for research and for the advancement and dissemination of knowledge and generally to cultivate and promote the arts including fine arts and performing arts, humanities, social sciences, accounts and commerce, pure and applied sciences, technologies, managements, different forms of medicine, engineering, law, physical education, and other branches of learning and culture and their multi-disciplinary and inter-disciplinary areas;
 - (3) to make provision to enable conducted and affiliated colleges and recognized institutions to undertake specialized studies;
 - (4) to make provisions for creation of autonomous, empowered autonomous and empowered autonomous cluster of institutions;
 - (5) to develop procedures and processes for recognition of private skills education providers and empowered autonomous skills development colleges;
 - (6) to organize, maintain and manage university departments, schools, institutions, laboratories, knowledge resource centers, learning resource centers, libraries, museums and equipment for teaching, learning, training, research and development or extension;
 - (7) to establish, maintain and manage departments, institutions of research,

institutions of specialized studies or academic services unit;

- (8) to establish, maintain and manage constituent, community and conducted colleges, institutions, hostels, health centers, auditoria and gymnasiums;
- (9) to provide for establishment, on the university campus and sub-campuses, of autonomous institutions like multi-university and inter-university centers, research laboratories, modern instrumentation centers and like centers of learning, set up by the University Grants Commission, Central Government or State Government, teaching or learning or training colleges or institutions at local, regional, national and global level, which may be used by a university or college or group of universities or colleges:

Provided that, in the case of any industry or any non-Government organization availing themselves of such facility of a university or such organizations providing the facility to a university, prior approval of the State Government shall be obtained by the university concerned;

- (10) to provide for establishment of sub-campuses for serving a group of colleges, and also to provide for and maintain common resource centers in such sub-campuses in the form of post-graduate departments, multi-disciplinary or inter-disciplinary schools, knowledge resource centers, libraries, laboratories, computer centers, and the like centers of learning and skills training;
- (11) to create posts of directors, principals, university teachers, non-vacation academic staff, non-teaching skilled, administrative, ministerial staff and other posts required by the university, from its funds and from the funds received from other funding agencies, prescribe their qualifications, experience and pay-scales, and make appointments thereto;
- (12) to make appointments to the posts of directors, principals, university teachers, non-vacation academic staff, non-teaching skilled, administrative, ministerial staff and other posts sanctioned by the State Government as per the qualifications and experience prescribed by the State Government;
- (13) to appoint or recognize persons working in any other university or organization as adjunct professors, adjunct associate professors, adjunct assistant professors, visiting professors of the university for specified periods;
- (14) to facilitate mobility of teachers within the university and to other universities with the consent of the teacher concerned;
- (15) to prescribe the courses of instruction and studies in choice based credit system for the various examinations leading to specific degrees, diplomas or certificates in a stand-alone format or joint format with other State or national or global universities;
- (16) to make provision, wherever feasible, in the university departments, colleges, institutions, recognized institutions and schools, for survey and collection of statistics, data and other particulars relevant to various developmental activities including State and National plans, evaluation of the developmental schemes with the participation of the students as a part of their curricular activities;
- (17) to supervise, control and regulate admission of students for various courses of study in university departments, schools, multi-disciplinary or inter-

- disciplinary schools, community, conducted and affiliated colleges, institutions and recognized institutions;
- (18) to guide teaching in colleges by deputation of teachers from a pool of teachers of the university and supplement teaching in colleges for improving their standards;
- (19) to institute degrees and post-graduate diplomas and post-higher secondary diplomas, certificates and other academic distinctions on the basis of examinations or by other tests or otherwise;
- (20) to hold examinations or evaluations and confer degrees and post-graduate diplomas and award post-higher secondary diplomas and certificates and other academic distinctions on persons who, –
- (a) unless exempted therefrom in the manner prescribed, have pursued approved courses of study in the university, or in a college or in an institution or a recognized institution or a school and have passed the examinations prescribed by the university; or
- (b) have pursued approved courses of study in the university, or in a college or in an institution or a recognized institution or in an autonomous college or an autonomous recognized institution or in empowered autonomous college or empowered autonomous cluster institutions or a school and have passed the examinations prescribed by the university; or
- (c) have engaged in research under conditions provided by Ordinances and Regulations;
- (21) to confer and award such degrees, diplomas and certificates to, and provide for such lectures, instruction and training for, external students, and the students under correspondence and distance education, open university and continuing education courses;
- (22) to confer honorary degrees or other academic distinctions as prescribed by the Statutes;
- (23) to admit to the privileges of the university, affiliated colleges and institutions not maintained by the university and withdraw all or any of those privileges, temporarily or permanently;
- (24) to designate a university department, conducted college, an affiliated college, institution or school as an autonomous university department, conducted college, affiliated college or institution or school, as the case may be, in accordance with the guidelines, if any, laid down by the State Government or University Grants Commission;
- (25) to designate a conducted college, an affiliated college, institution or school as an empowered conducted college, affiliated college or institution or school, in a stand-alone or cluster form, as the case may be, in accordance with the guidelines, if any, laid down by the State Government or University Grants Commission;
- (26) to monitor and evaluate the academic performance of university departments, university institutions, conducted colleges and of affiliated colleges, autonomous or empowered colleges in a stand-alone or cluster form and recognized institutions for affiliation or recognition, as the case may be, and for periodical accreditations;
- (27) to inspect, where necessary, all types of colleges or institutions and

- recognized institutions through suitable machinery established for the purpose, and take measures to ensure that proper standards of instruction, teaching, learning, training and research, and extension are maintained by them and adequate library, class rooms, laboratory, hostel, workshop and other academic facilities are provided for;
- (28) to hold and to manage trusts and endowments and institute and award fellowship, travelling fellowship, scholarship, studentship, medals and prizes for teachers and students of the university and colleges;
 - (29) to fix, demand and receive or recover such fees and other charges, as may be regulated by the Ordinances, from time to time;
 - (30) to constitute a fee fixation committee;
 - (31) to supervise, control and regulate the conduct and discipline of the students of the university, colleges, institutions, recognized institutions, schools and hostels;
 - (32) to provide for mobility of students from formal to non-formal stream and *vice-versa*, and also among the other universities in the State and outside the State.
 - (33) to provide facilities for revision or in-service courses for teachers of the university, colleges, schools and institutions;
 - (34) to make arrangements for promoting the healthy atmosphere, corporate life and welfare of the students of the university, colleges, schools and institutions;
 - (35) to make arrangements for promoting welfare of the employees of the university;
 - (36) to co-ordinate and regulate teaching, learning, training and research and extension in the colleges and recognized institutions;
 - (37) to provide for the training and education in the domain of quality, intensive workshops or learning exercises on enhancing quality, and also mechanism for setting up of internal quality assurance for quality improvement of teachers and non-teaching employees;
 - (38) to provide for periodical assessment of the performance of teachers and non-teaching employees in the colleges, institutions and university in accordance with the norms prescribed by the University Grants Commission or the State Government;
 - (39) to regulate and provide for attendance of the teachers on the premises of the university or colleges or institutions during teaching hours and beyond teaching hours, as prescribed and to prohibit teachers from taking or conducting private tuitions or private coaching classes;
 - (40) to regulate and provide for attendance of the non-teaching employees on the premises of the university or colleges or institutions during working hours and beyond working hours, as prescribed;
 - (41) to enforce conduct and discipline rules for teachers and non-teaching employees prescribed by the State Government;
 - (42) to prescribe code of conduct for managements;
 - (43) to establish, maintain and manage, whenever necessary,—
 - (a) Knowledge Resource Centre;
 - (b) university extension boards;

- (c) information bureaus;
 - (d) employment guidance bureaus;
 - (e) Autonomous Evaluation Boards; and
 - (f) such other activities as may be necessary and possible to fulfill the objects of the university;
- (44) to make provision for participation of students in,—
- (a) the national service scheme;
 - (b) the national cadet corps;
 - (c) home guards and civil defense;
 - (d) the national sports organization;
 - (e) physical and military training;
 - (f) extra-mural teaching and research;
 - (g) programmes related to lifelong learning, value education and life skills development;
 - (h) any other programmes, services or activities directed towards cultural, economic and social betterment as may be necessary and possible to fulfill the objects of the university;
- (45) to provide for special training or coaching for competitive examinations, for recruitment to the public services, public sector undertakings and other competitive employment opportunities;
- (46) to co-operate or collaborate with any other university, institution, authority or organization for research and advisory services and for such purposes to enter into appropriate arrangement with other universities, institutions, authorities, or organizations that are public or private, in India and abroad to conduct certain courses as the situation may demand;
- (47) to rescind affiliation or recognition or empowered status granted to colleges or institutions or cluster of institutions;
- (48) to borrow funds for the purposes of the university on the security of the property of the university, with the prior permission of the State Government;
- (49) to explore the possibilities of augmenting the resources of the university by exploring or innovating activities such as research and development, consultancy, training programmes and providing services for different clients from industry, trade or any other non-government organizations;
- (50) to recommend to the State Government to take over, in the public interest, the management of an affiliated college, institution or autonomous college or empowered autonomous college or cluster of institutions in case where irregularities or commissions or omissions of criminal nature by the management of such college or institution or mismanagement of such college or institution are *prima facie* evident to the committee of enquiry appointed by the university;
- (51) to undertake academic collaboration programmes with universities and institutions abroad;
- (52) to receive funds for collaboration programmes from foreign agencies, subject to rules and regulations of the Central Government and State Government in that behalf;
- (53) to create development corpus out of surplus that the university may generate

- through its teaching, learning, training, research and development, consultancy, and any other academic and support activities and to invest it in a professional manner and use the interest generated through it for the growth and development of academic, research and development, academic and physical infrastructure development and any other infrastructure;
- (54) to lay down for teachers and university teachers, such instructions or directions as, in the opinion of the university, may be necessary in academic matters;
 - (55) to undertake development programmes in higher education, research, consultancy based projects and training programmes for outside agencies, by charging fees, so as to generate resources;
 - (56) to make special provisions for the benefit of university education to be made available to classes and communities which are socially and educationally backward;
 - (57) to make special provisions for such benefits of university education to be made available for women students and differently-abled students as the university may think necessary;
 - (58) to make special provision for higher education in rural and tribal areas;
 - (59) to take appropriate measures in order to increase the gross enrolment ratio;
 - (60) to implement the national literacy and adult education program through teachers and students on voluntary basis in the university system and to evolve measures to give due weightage to the efforts and performance of the students in this area in addition to their normal academic performance, and also to evaluate the performance of the teachers in this area;
 - (61) to promote by itself, or in co-operation with other universities the study of Marathi and the use of Marathi as a medium of instruction, study, research and examination, in adherence to the policies of the State Government;
 - (62) to promote by itself, or in co-operation with other universities or organizations, the study of foreign languages in general and Asian languages in particular;
 - (63) to evolve an operational scheme for ensuring accountability of teachers, non-vacation academic and non-teaching staff of the university, institutions and colleges;
 - (64) to provide for joint appointments in single grade of pay in more than one department or administrative section in the university, as also between university departments and between the university-public or university-private or university-public-private partnership research laboratories or university-industry or university- other bodies;
 - (65) to create knowledge and disseminate it and foster high quality research which is contemporary, globally competitive and locally as well as regionally and nationally relevant;
 - (66) to have a learner-centric approach and perform the role of being a knowledge creator;
 - (67) to strengthen education at under-graduate, post-graduate level, enhance research and development culture and relevant degree programmes and cultivate desire for entrepreneurship;
 - (68) to create a comprehensive digital university framework for both, e-learning

- and e-administrative services;
- (69) to exploit the power of ‘learning by collaboration’ and ‘participation’ with use of information and communication technology;
 - (70) to cultivate research parks, technology incubators and other engagement entities to translate university research to commercial domain and coordinated projects involving multiple faculty groups from several disciplines that address some important issues before the State;
 - (71) to identify skills to which students need to be exposed to, by taking into account the local needs, training facilities available, emerging needs and new employment opportunities;
 - (72) to provide an environment for the all-round development of youth by exposing them to the rich cultural heritage of the country and creating opportunities for development of skills in sports;
 - (73) to ensure introduction of choice based credit system with transferable credit points from four streams, namely, the academic stream, the technology stream, the professional and social stream and the personality and cultural development stream;
 - (74) to facilitate mobility of teachers to collaborating institutions such as industries, research and development laboratories, non-Government organizations, engaged in societal development, to enable translation of knowledge to viable real life applications and in turn enrich university programmes;
 - (75) to establish centers or institutions in foreign countries with the permission of the Central and State Government;
 - (76) to establish vocational or skills based community colleges in partnership with industry;
 - (77) to implement recommendations given by Maharashtra State Commission for Higher Education and Development within the timeframe given by it;
 - (78) to do all such other acts and things as may be necessary for, or incidental or conducive to, the attainment of all or any of its objects;
 - (79) to comply with and carry out any directives issued by the State Government, from time to time, with reference to above powers, duties and responsibilities of the university.

Jurisdiction and admission to privileges of university.

6. (1) The territorial limits, within which the powers conferred upon the university by this Act shall be exercised, shall comprise the whole of the university area as specified against the name of such university in the Schedule:

Provided that, the benefit of distance-education courses, correspondence courses, open university courses or external degree courses of any public university may, with the prior permission of the State Government, extend and cover the entire area of the State outside the university area:

Provided further that, if a university desires to establish sub-campus or centre or institution in any foreign country, on its own or in collaboration with any other Indian or foreign university or institution, it may do so with the prior sanction of the Central and the State Government.

- (2) Subject to the provisions of sub-section (3) of section 3, no educational

institution situated within the university area shall, except with the consent of the university and the sanction of the State Government, be associated in any way with, or seek admission to any privilege of, any other university established by law:

Provided that, if an educational institution, public or private, Indian or foreign, seeks to be associated with, or be admitted to the privileges of a university, jurisdiction of which is not restricted to any State or area, such association or admission may be permitted by the State Government:

Provided further that, if a university, the jurisdiction of which is not restricted to any State or area, wishes to establish a centre or other unit of research in the university area on its own or in collaboration with any public or private Indian or foreign university or institution, it may do so with the sanction of the State Government and also with the sanction of the Central Government, if the collaboration is with the foreign university or institution.

- (3) If an educational institution, public or private, Indian or foreign, associated with or admitted to the privileges of any other university established by law, seeks to be associated with, or be admitted to the privileges of a university, such association or admission may be permitted with the sanction of the State Government and consent of the university concerned.
- (4) Save as otherwise provided by or under this Act, any privilege enjoyed by any educational institution within the area of another university before the date on which this Act comes into force, shall not be withdrawn, without the sanction of the State Government.
- (5) If a new district is created by the State Government, the area of such district shall be under the jurisdiction of such university, as may be declared by the State Government, by notification in the *Official Gazette*, for the purpose of admission to the privileges of such university.

University open to all irrespective of sex, creed, class, caste, place of religion, birth or opinion.

7. (1) No citizen of India shall be excluded from any office of the university or from membership of any of its authorities, bodies or committees, or from appointment to any post, or from admission to any degree, diploma, certificate or other academic distinction or course of study on the ground only of sex, race, creed, class, caste, place of birth, religious belief or profession or political or other opinion:

Provided that, the university may maintain, accredit or recognize any college or institution exclusively for women, or reserved for women.

- (2) The university shall comply with government policy and orders issued, from time to time, in regard to the reservation for Scheduled Castes, Scheduled Tribes, Denotified Tribes (*Vimukta Jatis*), Nomadic Tribes, Other Backward Classes and Special Backward Category for appointment to different posts of teachers and non-teaching employees and for the purpose of admission of students in the affiliated or conducted or community colleges, university departments, university institutions or recognized institutions.
- (3) The university shall comply with the general policy of the State Government in regard to the welfare of various categories of weaker sections of the society, minorities, women and differently-abled persons, as directed by the State Government, from time to time.

8. (1) Without prior approval of the State Government, the university shall not,-
- (a) create new posts of teachers, officers or other employees;
 - (b) revise the pay, allowances, post-retirement benefits and other benefits of its teachers, officers and other employees;
 - (c) grant any special pay, allowance or other extra remuneration of any description whatsoever, including *ex-gratia* payment or other benefits having financial implications, to any of its teachers, officers or other employees;
 - (d) divert any earmarked funds received for any purpose other than that for which it was received;
 - (e) transfer by sale or lease immovable property:
Provided however that, the university may permit any immovable property to be used for the specific period, for the purpose of providing essential physical facilities for accomplishment of objects of the university, such as bank, canteen, post office, mobile towers, etc., without prior approval of the State Government;
 - (f) incur expenditure on any development work from the funds received from the State Government or University Grants Commission or any person or body for the purposes other than the purposes for which the funds are received;
 - (g) take any decision regarding affiliated colleges resulting in increased financial liability, direct or indirect, for the State Government.
- (2) Without referring the matter for approval of the State Government, the university shall be competent to incur expenditure, in consonance with the policies and directives of the State Government issued from time to time, from the funds received from,-
- (a) various funding agencies without any share or contribution from the State Government;
 - (b) contributions received from individuals, industries, institutions, organizations or any person whatsoever, to further the objectives of the university;
 - (c) contributions or fees for academic or other services offered by the university for aided and self-supporting academic programmes;
 - (d) development fund, or any other fund established by the university; for the purposes of,-
 - (i) creation of posts in various cadres;
 - (ii) granting pay, allowances and other benefits to the posts created through its own funds;
 - (iii) starting any academic programmes on self-supporting basis;
 - (iv) granting remunerations or incentives to its employees for performing any task assigned to them other than their regular duties and responsibilities;
 - (v) incurring expenditure on any development work and on welfare activities of its students and employees:

Provided that, there is no financial liability, direct or indirect, immediate or in future, on the State Government.

(3) The State Government may, in accordance with the provisions contained in this Act, for the purpose of securing and maintaining uniform standards in all universities in the State, by notification in the *Official Gazette*, prescribe a Standard Code providing for the classification, manner and mode of selection and appointment, absorption of teachers and employees rendered surplus, reservation of post in favour of members of the Scheduled Castes, Scheduled Tribes, Denotified Tribes (*Vimukta Jatis*), Nomadic Tribes, Other Backward Classes and Special Backward Category, duties, workload, pay, allowances, post-retirement benefits, other benefits, conduct and disciplinary matters and other conditions of service of the officers, teachers and other employees of the universities and the teachers and other employees in the affiliated colleges and recognized institutions (other than those managed and maintained by the State Government, Central Government and the local authorities). Where such Code is prescribed, the provisions made in the Code shall prevail, and the provisions made in the Statutes, Ordinances and Regulations made under this Act, for matters included in the Code shall, to the extent to which they are inconsistent with the provisions of the Code, be invalid:

Explanation.- For the purpose of this sub-section, the expression “teachers and other employees in the affiliated colleges and recognized institutions” shall include teachers and other employees in the unaided affiliated colleges and recognized institutions.

- (4) Qualifications and experience for the purpose of appointment of non-teaching employees in the universities, affiliated colleges and recognized institutions (other than those managed and maintained by the State Government, Central Government and the local authorities) shall be as may be specified by the State Government, by an Order published in the *Official Gazette*.
- (5) Notwithstanding anything contained in this Act, if the circumstances so require and the State Government considers it necessary to do so, it may appoint, on deputation, a suitable person possessing the requisite qualifications to perform the duties of the Registrar or the Director of the Board of Examinations and Evaluation, for a period of not more than one year at a time and not more than three years in the aggregate.
- (6) The State Government shall have right to cause inspection to be made by the Director of Higher Education or such person or persons or body of persons as it may direct, of any affiliated college or institution.
- (7) In case of failure of the university to exercise powers or perform duties specified in section 5, or where the university has not exercised such powers or performed such duties adequately, or where there has been a failure to comply with any order issued by the State Government, or under any other circumstances as the State Government may deem fit, the State Government may issue a directive to the university for proper exercise of such powers or performance of such duties or comply with the order; and it shall be the duty of the university to comply with such direction. In case the university fails to comply with the directives, the State Government shall call upon the Vice-Chancellor to give reasons in writing as to why the directives were not

complied with. If the State Government is not satisfied with the explanation, it may take appropriate action against the university, in the interest of the university or students or in the larger interest of the public, and decision of the State Government in this regard shall be final, and shall be complied with by the university forthwith.

- (8) The State Government may carry out test audit or full audit of the accounts of a university, college, school or institution regularly at such intervals as the State Government may deem fit.

CHAPTER III

OFFICERS OF THE UNIVERSITY

Chancellor and his powers.

9. (1) The Governor of Maharashtra shall be the Chancellor of every university and the Chancellor, by virtue of his office, shall be the Head of the university.
- (2) The Chancellor, when present, shall preside over the Convocation of the university and may issue directions to the Vice-Chancellor to convene the meeting of any authority of the university for specific purposes, whenever necessary, and the Vice-Chancellor shall submit the minutes of such meeting to the Chancellor for his perusal.
- (3) The Chancellor may, in any matter *suo-motu* or otherwise, call for a report or an explanation or such information and record relating to such matter or any matter or affairs of the university and shall, after considering such report or explanation, or information or record, issue such directions thereupon as may be deemed fit in the interest of the university or students or larger interest of the public and his directions shall be final, and shall be complied with by the university forthwith.
- (4) The Chancellor may, after taking report in writing from the Vice-Chancellor, suspend or modify any resolution, order or proceeding of any authority, body, committee or officer which, in his opinion, is not in conformity with this Act, Statutes, Ordinances or Regulations made thereunder, or is not in the interest of the university and the university authority, body, committee and officer, shall comply with the same:

Provided that, before making any, such order, the Chancellor shall call upon the university, authority, body, committee or, as the case may be, officer to show cause why such an order should not be made, and if any cause is shown, within the time fixed by the Chancellor, he shall consider the same and wherever he deems it necessary, after consulting the State Government, decide the action to be taken in the matter, and his decision shall be final.

- (5) Where, in the opinion of the Chancellor, the conduct of any elected or nominated or appointed or co-opted member is detrimental to the smooth functioning of university or any authority or body or committee, he may, after giving such member an opportunity to offer his explanation in writing and after considering such explanation, if any, and satisfying himself that it is necessary so to do, disqualify such member or suspend him for such

period, as he may deem fit.

(6) The Chancellor shall exercise such other powers and perform such other duties as may be conferred upon or vested in him by or under this Act.

Other officers of university.

10. The following shall be the other officers of the university, namely:-
- (1) the Vice-Chancellor;
 - (2) the Provost;
 - (3) the Registrar;
 - (4) the Deans of Faculties;
 - (5) the Director of Board of Examinations and Evaluation;
 - (6) the Finance and Accounts Officer;
 - (7) the Director, Sub-Campus of the University;
 - (8) the Director, National and International Linkages;
 - (9) the Director, Centre for Innovation, Incubation and Enterprise;
 - (10) the Librarian;
 - (11) the Director, Students' Development;
 - (12) the Director, Sports and Physical Education;
 - (13) such other officers in the service of the university as may be prescribed by Statutes.

Appointment of Vice-Chancellor.

11. (1) There shall be a Vice-Chancellor who shall be the principal academic and executive officer of the university and *ex-officio* Chairperson of the Senate, Management Council, Academic Council, Board of Lifelong Learning, Value Education and Life Skills Development, Finance and Accounts Committee, Board of National and International Linkages and the Board for Innovation, Incubation and Enterprise, Board of University Departments and Interdisciplinary Studies, and shall preside in the absence of the Chancellor at any convocation for conferring degrees. His powers and duties shall be as provided in section 12.
- (2) Save as otherwise provided, pay and allowances, terms and conditions of service of the Vice-Chancellor shall be such as may be determined by the State Government, from time to time.
- (3) The Vice-Chancellor shall be appointed by the Chancellor in the manner stated hereunder,-
- (a) There shall be a committee consisting of the following members to recommend suitable names to the Chancellor for appointment of Vice-Chancellor, namely:-
- (i) a member nominated by the Chancellor, who shall be the retired Judge of the Supreme Court or retired Chief Justice of a High Court or an eminent scientist of national repute or a recipient of *Padma* Award in the field of education;
 - (ii) the Principal Secretary of Higher and Technical Education Department or any officer not below the rank of Principal Secretary to Government nominated by the State Government;
 - (iii) the Director or Head of an institute or organization of national repute established by an Act of Parliament, nominated by the Management Council and the Academic Council, jointly, in a

manner as specified by the State Government by an order published in the Official Gazette.

- (b) The member nominated by the Chancellor shall be the Chairman of the committee.
 - (c) The members nominated on the committee shall be persons who are not connected with the university or any college or any recognized institution of the university.
 - (d) The Director of Higher Education shall act as a nodal officer for the committee.
 - (e) No meeting of the committee shall be held unless all the three members of the committee are present.
 - (f) The committee shall recommend a panel of one third of the persons appeared for interview before the committee, for the consideration of the Chancellor for being appointed as the Vice-Chancellor. The names of the persons so recommended shall be in alphabetical order without any preference being indicated. The report shall be accompanied by a detailed write-up on suitability of each person included in the panel.
 - (g) A person recommended by the committee for appointment as Vice-Chancellor shall,-
 - (i) be an eminent academician and an administrator of high caliber;
 - (ii) be able to provide leadership by his own example;
 - (iii) be able to provide vision; and have ability to translate the same into reality in the interest of students and society; and
 - (iv) possess such essential educational qualifications and experience as may be prescribed by the University Grants Commission and such additional qualifications as may be specified by the State Government, by an Order published in the *Official Gazette*.
 - (h) The eligibility conditions and the process for recommendation of names for appointment as Vice-Chancellor shall be given wide publicity to ensure the recommendation of most suitable candidates.
- (4) The Chancellor may appoint one of the persons included in the panel to be the Vice-Chancellor.
- (5) The process of preparing the panel of the suitable persons for being appointed as the Vice-Chancellor, shall begin at least six months before the probable date of occurrence of the vacancy of the Vice-Chancellor, and the process of appointment of the Vice-Chancellor shall be completed at least one month before the probable date of occurrence of the vacancy of the Vice-Chancellor.
- (6) The person appointed as the Vice-Chancellor shall, subject to the terms and conditions of service prescribed by the State Government, hold office for a period of five years from the date on which he takes charge of his office or till he attains the age of sixty-five years, whichever is earlier:
- Provided that, the person who has worked as the Vice-Chancellor shall be eligible to apply for the said post in a university other than the one in which he has served.
- (7) The person appointed as the Vice-Chancellor shall hold a lien, if any, on the substantive post held by him prior to the appointment.

- (8) In any of the following circumstances, the exigency whereof shall solely be judged by the Chancellor, namely: -
- (i) where the committee appointed under clause (a) of sub-section (3) is unable to recommend any name within the time limit specified by the Chancellor;
 - (ii) where the vacancy occurs in the office of the Vice-Chancellor because of death, resignation or otherwise, and it cannot be conveniently and expeditiously filled in, in accordance with the provisions of sub-sections (3) and (4);
 - (iii) where the vacancy in the office of the Vice-Chancellor occurs temporarily because of leave, illness or other causes;
 - (iv) where the term of Vice-Chancellor has expired; or
 - (v) where there is any other emergency;
- the Chancellor may appoint any suitable person, to act as the Vice-Chancellor for a term not exceeding eighteen months, as may be specified in his order:
- Provided that, the person so appointed shall cease to hold such office on the date on which the person appointed as the Vice-Chancellor in accordance with the provisions of sub-sections (3) and (4) assumes office or the Vice-Chancellor resumes office.
- (9) The Vice-Chancellor shall be a whole-time salaried officer of the university and shall receive pay and allowances, and other facilities as determined by the State Government. In addition, he shall be entitled to free furnished residence, a motor car including its maintenance, repairs and fuel required therefor, with the service of a chauffeur, free of charge.
- (10) Such sumptuary allowance shall be placed at the disposal of the Vice-Chancellor, as the State Government may approve.
- (11) If a person receiving an honorarium from the consolidated fund of the State, or if a principal of an affiliated college or a recognized institution or a university teacher is appointed as Vice-Chancellor, his terms and conditions of service shall not be altered to his disadvantage during his tenure as Vice-Chancellor;
- (12) Notwithstanding anything contained in the foregoing sub-sections, the person referred to in sub-section (7) shall stand retired from his original post in accordance with the terms and conditions of service of that post;
- (13) The Vice-Chancellor may, by writing under his signature addressed to the Chancellor, after giving one month's notice resign from his office and shall cease to hold his office on the acceptance of his resignation by the Chancellor or from the date of expiry of the said notice period, whichever is earlier;
- (14) The Vice-Chancellor may be removed from his office if the Chancellor is satisfied that the incumbent,-
- (i) has become insane and stands so declared by a competent court;
 - (ii) has been convicted by a court for any offence involving moral turpitude;
 - (iii) has become an undischarged insolvent and stands so declared by a competent court;
 - (iv) has been physically unfit and incapable of discharging functions due to

protracted illness or physical disability;

- (v) has willfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service or any other conditions, prescribed by the State Government under sub-section (2), or has abused the powers vested in him or if the continuance of the Vice-Chancellor in the office is detrimental to the interests of the university;
- (vi) is a member of, or is otherwise associated with, any political party or any organization which takes part in politics, or is taking part in, or subscribing in aid of, any political movement or activity:

Explanation.- For the purposes of this sub-clause, whether any party is a political party, or whether any organization takes part in politics or whether any movement or activity falls within the scope of this sub-clause, the decision of the Chancellor thereon shall be final:

Provided that, the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under sub-clauses (iv), (v) and (vi).

Powers and duties of
Vice-Chancellor.

- 12.
- (1) The Vice-Chancellor shall be the principal academic and executive officer of the university responsible for the development of academic programmes of the university. He shall oversee and monitor the administration of the academic programmes and general administration of the university to ensure efficiency and good order of the university.
 - (2) He shall be entitled to be present, with the right to speak, at any meeting of any other authority or body or committee of the university, but shall not be entitled to vote thereat, unless he is the Chairperson or member of that authority or body.
 - (3) The Vice-Chancellor shall have the power to convene meetings of any of the authorities, bodies or committees, as and when he considers it necessary to do so.
 - (4) The Vice-Chancellor shall ensure that directions issued by the Chancellor are strictly complied with or, as the case may be, implemented.
 - (5) It shall be the duty of the Vice-Chancellor to ensure that the directives of the State Government, if any, and the provisions of this Act, Statutes, Ordinances and Regulations are strictly observed and that the decisions of the authorities, bodies and committees which are not inconsistent with this Act, Statutes, Ordinances and Regulations are properly implemented.
 - (6) The Vice-Chancellor may defer implementation of a decision taken or a resolution passed by any authority, body or committee of the university if, he is of the opinion that the same is not consistent with the directives of the State Government or with the provisions of the Act, Statutes, Ordinances and Regulations or that such decision or resolution is not in the interest of the university and at the earliest opportunity refer it back to the, authority body or committee concerned for reconsideration in its next meeting with reasons to be recorded in writing. If differences persist, he shall within a week, giving reasons submit it to the Chancellor for decision and inform about having done so to the members of the authority, body or committee

concerned. After receipt of the decision of the Chancellor, the Vice-Chancellor shall take the action as directed by the Chancellor and inform the authority, body or committee concerned, accordingly.

- (7) If there are reasonable grounds for the Vice-Chancellor to believe that there is an emergency which requires immediate action to be taken, or if any action is required to be taken in the interest of the university, he shall take such action, as he thinks necessary, and shall at the earliest opportunity, report in writing the grounds for his belief that there was an emergency, and the action taken by him, to such authority or body as shall, in the ordinary course, have dealt with the matter. In the event of a difference arising between the Vice-Chancellor and the authority or body whether there was in fact an emergency, or on the action taken where such action does not affect any person in the service of the University, or on both, the matter shall be referred to the Chancellor whose decision shall be final:

Provided that, where any such action taken by the Vice-Chancellor affects any person in the service of the university, such person shall be entitled to prefer, within thirty days from the date on which he receives notice of such action, an appeal to the Management Council.

Explanation.- For purposes of this sub-section, action taken by the Vice-Chancellor shall not include disciplinary action taken against any employee of the university.

- (8) Where any matter is required to be regulated by the Statutes, Ordinances or Regulations, but no Statutes, Ordinances or Regulations are made in that behalf or where there is an exigency to amend Statutes, Ordinances or Regulations, the Vice-Chancellor may, for the time being, regulate the matter by issuing such directions as he thinks necessary, and shall, at the earliest opportunity thereafter, place them before the Management Council or other authority or body concerned for approval. He may, at the same time, place before such authority or body for consideration the draft of the Statutes, Ordinances or Regulations, as the case may be, required to be made in that behalf.
- (9) The Vice-Chancellor shall be the appointing and disciplinary authority for the university teachers.
- (10) The Vice-Chancellor shall be the appointing and disciplinary authority for officers of the university of the rank of Assistant Registrar and of the rank equivalent thereto and above.
- (11) As the Chairperson of the authorities or bodies or committees of the university, the Vice-Chancellor shall be empowered to suspend member from the meeting of the authority, body or committee for persisting to obstruct or stall the proceedings or for indulging in behavior unbecoming of a member, and shall report the matter accordingly, to the Chancellor.
- (12) The Vice-Chancellor shall have the power to,-
- (a) grant affiliation to colleges or institutions in accordance with the provisions of this Act and the Rules of affiliation framed by the State Government;
 - (b) accord recognition to institutions of higher learning, researcher specialized studies in accordance with the provisions of this Act;

- (c) accord recognition to autonomous colleges, empowered autonomous colleges or cluster of institutions and empowered skills development colleges in accordance with the provisions of this Act;
- (d) accord recognition to private skills education providers in accordance with the provisions of this Act;
- (e) accord recognition as qualified teachers to the experts from the field of application oriented industries or companies and domain specific experts in various professional skills, working as training experts in private skills education providers and empowered skills development colleges.

(13)(a) The Vice-Chancellor shall have right to cause inspection to be made by the Provost or such person or persons or body of persons as he may direct, of the university, its buildings, laboratories, libraries, museums, workshops and equipment and of affiliated, conducted or autonomous college, empowered autonomous colleges or cluster of institutions, recognized or autonomous institutions, empowered skills development colleges or private skills education provider, hall or hostel maintained or recognized by the university, and of the examinations, teachings and other work conducted by or on behalf of the university, and to cause an inquiry to be made in a like manner regarding any matter connected with the administration or finance of the university, affiliated, conducted or community or autonomous college, empowered autonomous colleges or cluster of institutions, recognized or autonomous institutions, empowered skills development colleges or private skills education provider:

Provided that, the Vice-Chancellor shall, in the case of affiliated or autonomous college, empowered autonomous colleges or cluster of institutions, recognized or autonomous institutions, empowered skills development colleges or private skills education provider, give notice to the management of such affiliated or autonomous college, empowered autonomous colleges or cluster of institutions, recognized or autonomous institutions, empowered skills development colleges or private skills education provider of his intention to cause an inspection or an inquiry to be so made:

Provided further that, the management shall have the right to make such representation to the Vice-Chancellor as it thinks necessary before such inspection or inquiry is made;

- (14) after considering such representation, if any, the Vice-Chancellor may cause such inspection or inquiry to be made or may drop the same;
- (15) in the case of management when an inspection or inquiry has been caused to be made, the management, shall be entitled to appoint a representative, who shall have the right to be present and be heard at such inspection or inquiry;
- (16) the Vice-Chancellor may, if the inspection or inquiry is made regarding any college or institution admitted to the privileges of the university, communicate to the management the result of such inspection or inquiry;
- (17) the management shall communicate to the Vice-Chancellor such action, if any, as it proposes to take or has been taken by it;
- (18) where the management, does not, within the time fixed by the Vice-

Chancellor, take action to his satisfaction, the Vice-Chancellor shall be competent to impose a fine upon the management and direct the management to stop the fresh admissions to the colleges or institutions or to decide any other action to be taken in this behalf and the same shall be communicated to the management concerned for compliance;

(19) the Vice-Chancellor shall exercise such other powers and perform such other duties as may be conferred upon him by or under this Act.

Provost.

13. (1) The Provost shall be the academic and administrative officer next to the Vice-Chancellor having purview of the entire university.
- (2) The Provost shall be the Chairperson of the Board of Deans and an *ex-officio* Chairperson of the Research and Recognition Committee.
- (3) The Provost shall be a full time salaried officer of the university and shall work directly under the superintendence, direction and control of the Vice-Chancellor.
- (4) Save as otherwise provided, pay and allowances admissible to him as well as the terms and conditions of his service shall be such as may be determined by the State Government, from time to time.
- (5) Qualifications and experience for the purpose of selection of the Provost shall be as may be specified by the State Government, by an Order published in the *Official Gazette*.
- (6) The Provost shall be appointed by the Vice-Chancellor on the recommendations of the selection committee consisting of the following members, namely:-
- (a) Vice-Chancellor, Chairman;
- (b) two members, nominated by the Chancellor, who have held the post of Vice-Chancellor of any university or Director or head of an institute or organization of national repute established by an Act of Parliament.
- (7) No meeting of the committee shall be held unless all the three members of the Committee are present.
- (8) The term of Provost shall be co-terminus with the term of office of the Vice-Chancellor or till he attains the age of sixty-five years, whichever is earlier.
- (9) The Provost shall act as the chairperson of the authorities, bodies and committees, in the absence of the Vice-Chancellor.
- (10) When the office of the Provost falls vacant or when the Provost is, by reason of illness or absence or any other cause, unable to perform the duties of his office, the Vice-Chancellor, may appoint a suitable person qualified to be appointed as Provost to officiate as Provost, till the Provost resumes office, or a new Provost assumes duty, as the case may be.
- (11) The Provost may, by writing under his signature addressed to the Vice-Chancellor, after giving one month's notice resign from his office and shall cease to hold his office on the acceptance of his resignation by the Vice-Chancellor or from the date of expiry of the said notice period, whichever is earlier.
- (12) The Provost may be removed from his office if the Vice-Chancellor is satisfied that the incumbent, -
- (a) has become insane and stands so declared by a competent court;

- (b) has been convicted by a court for any offence involving moral turpitude;
- (c) has become an undischarged insolvent and stands so declared by a competent court;
- (d) has been physically unfit and incapable of discharging functions due to protracted illness or physical disability;
- (e) has willfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of service or any other conditions, prescribed by the State Government under sub-section (4) or has abused the powers vested in him or if, the continuance of the Provost in the office is detrimental to the interests of the university;
- (f) is a member of, or is otherwise associated with, any political party or any organization which takes part in politics, or is taking part in, or subscribing in aid of, any political movement or activity.

Explanation.- For the purposes of this sub-clause, whether any party is a political party, or whether any organization takes part in politics or whether any movement or activity falls within the scope of this sub-clause, the decision of the Vice-Chancellor thereon shall be final:

Provided that, the Provost shall be given a reasonable opportunity to show cause by the Vice-Chancellor before taking recourse for his removal under clauses (d), (e) and (f).

(13) The Provost shall,-

- (a) ensure that quality in education and central services is maintained by the university;
- (b) be responsible for fostering intellectual interaction across the university and for ensuring that there is research and development and industry linkages;
- (c) ensure that the long-term and short-term development plans of the university and its colleges in their academic programmes are duly processed and implemented through relevant authorities, bodies, committees and officers;
- (d) monitor appointment of principals and teachers of affiliated colleges and institutions, autonomous colleges and institutions, empowered autonomous colleges, cluster of institutions and recognized institutions or post-graduate centers;
- (e) accord approval to the appointments of principals and teachers of affiliated colleges and institutions, autonomous colleges and institutions, empowered autonomous colleges, cluster of institutions and recognized institutions or withdraw the same in accordance with the procedure as prescribed in the Ordinances;
- (f) accord approvals to selection committees for appointment of teachers in the colleges as per the norms of the University Grants Commission and the State Government;
- (g) recommend proposals to the Management Council for the establishment of conducted colleges, schools, departments, institutions of higher learning, research and specialized studies, knowledge resource centre, academic services units, libraries, laboratories and museums in the

university;

- (h) consider and recommend proposals to the Management Council for creation of the posts of directors, principals, university teachers, non-vacation academic staff, non-teaching employees and other posts required by the university, from the funds of the university and from the funds received from other funding agencies, and qualifications, experience and pay-scales for such posts;
- (i) approve the recommended panel of referees for theses or dissertations for awarding post-graduate, doctorate and higher degrees;
- (j) be the principal liaison officer with the external funding agencies for generating funds for the collaborative and development programmes of the university and monitor their proper utilization;
- (k) be responsible for establishing liaison for fostering and promoting collaboration between the university, colleges and national and international institutions and scientific, industrial and commercial organizations;
- (l) be responsible for submission of an annual report on the progress achieved in different developmental and collaborative programmes to the Vice-Chancellor who shall place the same before the Management Council;
- (m) exercise such other powers and perform such other duties as prescribed under this Act or assigned to him, from time to time, by the Vice-Chancellor.

Registrar.

- 14.
- (1) The Registrar shall be the Chief Administrative Officer of the university. He shall be a full-time salaried officer and shall work directly under the superintendence, direction and control of the Vice-Chancellor.
 - (2) Qualifications and experience for the purpose of selection of the Registrar shall be as may be specified by the State Government, by an Order published in the *Official Gazette*.
 - (3) Registrar shall be a resident officer.
 - (4) The Registrar shall be appointed by the Vice-Chancellor on the recommendation of a selection committee constituted for the purpose under this Act.
 - (5) Appointment of the Registrar shall be for a term of five years and he shall be eligible for re-appointment by selection on the recommendation of a selection committee constituted for the purpose, for only one more term of five years in the university in which he is serving:
Provided that, the person who has worked for one term or two terms, as the case may be, as Registrar may be eligible to apply for the said post in a university other than the one in which he has served.
 - (6) When the office of the Registrar falls vacant or the Registrar is, by reason of illness or absence or any other cause, unable to perform the duties of his office for a period not exceeding six months, the Vice-Chancellor shall appoint a suitable person to officiate as the Registrar until the new Registrar assumes duty or the Registrar resumes duty, as the case may be.

- (7) The Registrar shall,-
- (a) act as a Member-Secretary of the Senate, Management Council, Academic Council and such other authorities, bodies and committees, as prescribed by or under this Act;
 - (b) be the appointing and the disciplinary authority of the employees of the university other than the teachers, non-vacation academic staff and officers of the rank of Assistant Registrar and other officers holding posts equivalent thereto or above. An appeal by a person aggrieved by the decision of the Registrar may be preferred within thirty days from the date of communication of such decision, to the Vice-Chancellor;
 - (c) be the custodian of the records, the common seal and such other property of the university as the Management Council may, commit to his charge;
 - (d) conduct elections to various authorities and bodies of the university as per the programme approved by the Vice-Chancellor;
 - (e) prepare and update the Handbook of the Statutes and Regulations approved by the authorities, bodies or committees, from time to time, and make them available to all members of the authorities and officers of the university;
 - (f) receive complaints and suggestions in regard to the improvement of administration and consider them for appropriate action;
 - (g) render necessary assistance for inspection of the university, its buildings, class rooms, laboratories, libraries, knowledge resource centre, museums, workshops and equipment is made by such person or persons or body of persons, as directed by the Vice-Chancellor;
 - (h) have the power to enter into agreements, sign documents and authenticate records on behalf of the university, subject to the decision of the authorities of the university;
 - (i) place before the Management Council a report of the development activities of the university every six months;
 - (j) have the power to seek information in regard to any matter of the university, from the Deans, Finance and Accounts Officer and any other officer of the university for submission to the State Government and other external agencies;
 - (k) exercise such other powers and perform such other duties, as prescribed by or under this Act or assigned to him, from time to time, by the Vice- Chancellor.

Dean of Faculty.

15. (1) There shall be a Dean for each faculty as provided in sub-section (2) of section 30.
- (2) He shall be a full time salaried officer of the university, concerned with and responsible for academic planning and academic audit of the programmes and implementation of academic policies approved by the Academic Council in respect of academic development, maintenance of quality of education including standards of teaching and research and training of teachers within his faculty. He shall work directly under the

superintendence, direction and control of the Vice-Chancellor.

- (3) Qualifications and experience for the purpose of selection of the Dean shall be as may be specified by the State Government, by an Order published in the *Official Gazette*.
- (4) The Dean shall be appointed by the Vice-Chancellor on the recommendations of the selection committee for the purpose under this Act.
- (5) The term of Dean shall be co-terminus with the term of office of the Vice-Chancellor or till he attains the age of sixty-five years, whichever is earlier:
Provided however that, the new Vice-Chancellor may continue his services as a Dean till the new Dean is duly appointed.
- (6) The Dean shall,-
 - (a) be responsible for development and application of quality benchmarks or parameters for various academic and administrative activities of higher education;
 - (b) facilitate the creation of a learner-centric environment conducive for quality education;
 - (c) arrange for feedback responses from the students, the teachers, non-teaching staff, the parents and the other stakeholders on quality-related institutional processes;
 - (d) ensure appropriate actions, as are needed for maintenance of quality of teaching spelt out by the Internal Quality Assurance Cell;
 - (e) ensure that the teachers' appraisal by students is carried out and the reports thereof are sent to the university authorities concerned;
 - (f) be responsible for dissemination of information on the various quality parameters of higher education, as may be defined by various national level bodies dealing with assessment and accreditation of quality in educational institutions;
 - (g) organize inter-institutional and intra-institutional workshops, seminars on quality related themes and promotion of quality circles;
 - (h) co-ordinate quality-related activities, including adoption and dissemination of good practices, development and maintenance of institutional database, through management information system for the purposes of maintaining or enhancing the institutional quality;
 - (i) be responsible for development of quality culture in higher education;
 - (j) prepare Annual Quality Assurance Report of programmes within his faculty, based on the quality parameters or assessment criteria, developed by the relevant quality assurance bodies, in the prescribed format;
 - (k) be responsible for bi-annual development of quality radars and ranking of integral units of higher education based on the Annual Quality Assurance Report;
 - (l) interact with State Quality Assurance Cell in the pre-accreditation and post-accreditation quality assessment, sustenance and enhancement endeavours;
 - (m) recommend to the Management Council proposals for the institution of fellowship, travelling fellowship, scholarship, studentship, medals and prizes and making Regulations for their award;

- (n) recommend to the Management Council through the Academic Council, proposals for the conduct of inter-faculty and area or regional studies, common facilities, such as instrumentation centers, knowledge resource centers, Science and Technology Parks, entrepreneurship development and industry incubation center, intellectual property rights center, workshops, hobby centers, museums, etc.;
- (o) control, regulate and coordinate research activities to maintain standards of teaching and research in the university departments, post-graduate departments in colleges and recognized institutions;
- (p) recommend to the Academic Council proposals for conduct of post-graduate courses in university departments, post-graduate departments in colleges and recognized institutions;
- (q) recommend to the Academic Council the norms of recognition of post-graduate teachers and research guides in post-graduate departments in colleges, autonomous colleges and institutions, empowered autonomous colleges, cluster of institutions and recognized institutions;
- (r) recommend to the Academic Council the norms of recognition of under-graduate teachers and project guides in under-graduate departments in colleges, autonomous colleges and institutions, empowered autonomous colleges, cluster of institutions and recognized institutions;
- (s) recommend to the Academic Council the norms of recognition of experts working in industries or private professional skills development companies or private skills development institutions, as recognized teachers for the certificate or diploma or advanced diploma or associate degree programmes which may be run by colleges, institutions, autonomous colleges and institutions, empowered autonomous colleges or cluster of institutions, empowered skills development colleges and private skills education provider, as recommended by the university authorities;
- (t) be responsible for ensuring standards of under-graduate and post-graduate teaching and research in the faculty;
- (u) be responsible for ensuring academic development of the faculty under his purview and proper implementation of the decisions of the Board of Studies, Faculty, Academic Council, Management Council and the Board of Examinations and Evaluation in respect of his faculty;
- (v) enquire into any malpractices committed in any academic programmes in the faculty by a university department, affiliated or conducted or community or autonomous, empowered autonomous colleges or cluster of institutions or recognized institutions, on being directed by the Academic Council and submit a report of the findings to the Academic Council;
- (w) render necessary assistance to the Students' Grievances Cell;
- (x) prepare proposals for award of fellowship, scholarship and other distinctions in the faculty for submission to the Academic Council;
- (y) prepare reports as required by the various authorities or bodies of the university, the State Government, the Central Government, the Central

Educational Commissions or Councils, Maharashtra State Commission for Higher Education and Development and any such body;

- (z) exercise such other powers and perform such other duties as prescribed by or under this Act or assigned to him by the Vice-Chancellor from time to time.

Director, Board of Examinations and Evaluation.

16. (1) The Director, Board of Examinations and Evaluation shall be a full time salaried officer and shall work directly under the directions and control of the Vice-Chancellor. He shall discharge his functions under the superintendence, direction and guidance of the Board of Examinations and Evaluation, and shall be concerned with the implementation of the policies and directives given by the Board of Examinations and Evaluation.
- (2) Qualifications and experience for the purpose of selection of the Director, Board of Examinations and Evaluation shall be as may be specified by the State Government, by an Order published in the *Official Gazette*.
- (3) The Director, Board of Examinations and Evaluation shall be appointed by the Vice-Chancellor on the recommendation of the Selection Committee constituted for the purpose under this Act.
- (4) Appointment of the Director, Board of Examinations and Evaluation shall be for a term of five years and he shall be eligible for re-appointment by selection on the recommendation of a selection committee constituted for the purpose, for only one more term of five years in the university in which he is serving:

Provided that, the incumbent who has worked for one term or two terms, as the case may be, as the Director, Board of Examinations and Evaluation may be eligible to apply for the said post in a university other than the one in which he has served.

- (5) The Director, Board of Examinations and Evaluation shall,-
- (a) be the principal officer-in-charge of the conduct of university examinations, tests and evaluation, and declaration of their results;
- (b) be the Member-Secretary of the Board of Examinations and Evaluation and of the committees appointed by the Board except the committees constituted for appointment of paper-setters, examiners and moderators;
- (c) be responsible for making all arrangements necessary for holding examinations, tests and evaluation, and for timely declaration of results;
- (d) evolve and implement in consultation with the Board of Examinations and Evaluation, processes for proper and smooth conduct of examinations and evaluation;
- (e) prepare and announce in advance the programme of examinations, after seeking approval of the Board of Examinations and Evaluation;
- (f) arrange for printing of question papers;
- (g) postpone or cancel examinations, in part or in whole, in the event of malpractices or if the circumstances so warrant, and take disciplinary action or initiate any civil or criminal proceedings against any person or a group of persons or a college or an institution alleged to have committed malpractices, in consultation with the Vice-Chancellor;
- (h) take disciplinary action where necessary against the candidates, paper

setters, examiners, moderators, or any other persons connected with examinations and evaluation, found guilty of malpractices in relation to the examinations and evaluation;

- (i) review, from time to time, the results of university examinations and evaluation, and forward reports thereon to the Board of Examinations and Evaluation;
- (j) take all steps for implementation of all academic and administrative decisions taken by the Board of Examinations and Evaluation;
- (k) implement decisions taken by the various university authorities, connected with the examination and evaluation process;
- (l) implement all policy and operative decisions with reference to the choice based credit system, both at the under-graduate, post- graduate levels and in other teaching programmes;
- (m) organize workshops for teachers in the subjects concerned, in order to acquaint them with new trends in the assessment processes, such as cognitive and summative assessment, creation and use of repository of questions, use of technology in paper setting and conduct of examinations, tests and evaluation;
- (n) be responsible for creation of a repository of questions with model answers which shall be continuously updated and expanded;
- (o) ensure innovative and effective use of information and communication technology in the entire process of the conduct of examinations and evaluation;
- (p) arrange for proper assessment of performance of candidates at the examinations and process the results;
- (q) ensure that answer books for all degree examinations are assessed through the central assessment system;
- (r) ensure that every teacher and non-teaching employee in the university, affiliated or conducted college or recognized institution renders necessary assistance and service in respect of examinations of the university and in evaluation process;
- (s) carry out all other duties and functions assigned to him by the Board of Examinations and Evaluation;
- (t) undertake any other task assigned to him by the university authorities to carry out the objectives of the Board of Examinations and Evaluation, and to ensure that the objects of the university are accomplished;
- (u) exercise such other powers and perform such other duties as prescribed by or under this Act or assigned to him by the Vice- Chancellor, from time to time.

Finance and
Accounts Officer.

17. (1) The Finance and Accounts officer shall be the principal finance, accounts and audit officer of the university. He shall be a full-time salaried officer and shall work directly under the superintendence, direction and control of the Vice-Chancellor.
- (2) Save as otherwise provided, pay and allowances admissible to the Finance and Accounts Officer as well as the terms and conditions of his service shall be such as may be determined by the State Government, from time to time.

- (3) Qualifications and experience for the purpose of appointment of the Finance and Accounts Officer shall be as may be specified by the State Government, by an Order published in the *Official Gazette*.
- (4) The Finance and Accounts Officer shall be appointed by the State Government on deputation from amongst the officers of Maharashtra Finance and Accounts Service not below the rank of Joint Secretary.
- (5) Appointment of the Finance and Accounts Officer shall be for a term of three years which may be extended by the State Government for the period of one year.
- (6) The Finance and Accounts Officer shall not be eligible for re-appointment in the university in which he has served.
- (7) The Finance and Accounts Officer shall,-
 - (a) exercise general supervision over the funds of the university and advise the Vice-Chancellor as regards the finances of the university;
 - (b) hold and manage the funds, property and investments, including trust and endowed property, for furthering the objects of the university, with the approval of the Vice-Chancellor;
 - (c) ensure that the limits fixed by the university for recurring and non-recurring expenditure for a year are not exceeded, and that all allocations are expended for the purposes for which they are granted or allotted;
 - (d) keep watch on the state of the cash and bank balances and investments;
 - (e) ensure effective revenue management by keeping watch on the process and progress of collection of revenue, and advise the Vice-Chancellor on the methods to be employed in this regard;
 - (f) the duties under clauses (a) to (e) shall be performed as per the Maharashtra Universities Account Code, notified by the State Government, from time to time;
 - (g) get the accounts of the university audited, regularly;
 - (h) ensure that the registers of buildings, land, equipment, machinery and other assets are maintained up-to-date and that the physical verification and reconciliation of these assets and other consumable material in all offices, conducted colleges, workshops and stores of the university are conducted regularly;
 - (i) propose to the Vice-Chancellor that explanation be called for unauthorized expenditure or other financial irregularities from any university teacher or non-vacation academic staff or an officer of the university of the rank of Assistant Registrar or equivalent and above;
 - (j) propose to the Registrar that explanation be called from any employee of the university, other than the teacher, non-vacation academic staff and an officer of the university of the rank of Assistant Registrar or equivalent and above, for unauthorized expenditure or irregularities in any particular case, and recommend disciplinary action against the persons in default;
 - (k) call for, from any office, centre, laboratory, conducted college, department of the university or university institution, any information and returns that he thinks necessary for the proper discharge of his financial responsibilities;

- (l) maintain the minutes of the meetings of Finance and Accounts Committee;
- (m) be responsible for preparation and maintenance of accounts by double entry accounting system, on accrual basis, presenting the annual financial estimates (budget), statement of accounts and audit reports, to the Finance and Accounts Committee and to the Management Council;
- (n) prepare financial reports as required by the various authorities or bodies of the university, the State Government, the Central Government, the Central Educational Commissions or Councils, Maharashtra State Commission for Higher Education and Development and any such body providing funds to the university;
- (o) exercise such other powers and perform such other duties as prescribed by or under this Act or assigned to him by the Vice- Chancellor, from time to time.

Director of Sub-campus of university.

18. (1) The Director of sub-campus shall be a full time salaried officer who shall work under superintendence, direction and control of the Vice-Chancellor.
- (2) Qualifications and experience for the purpose of selection of the Director of sub-campus shall be as may be specified by the State Government, by an Order published in the *Official Gazette*.
- (3) The appointment of the Director of sub-campus shall be made by the Vice-Chancellor on the recommendation of the selection committee constituted for the purpose under this Act.
- (4) Appointment of the Director of sub-campus shall be for a term of five years and he shall be eligible for re-appointment, by selection on the recommendation of a selection committee constituted for the purpose, for only one more term of five years in the university in which he is serving:
 Provided that, the incumbent who has worked for one term or two terms, as the case may be, as the Director of sub-campus may be eligible to apply for the said post in a university other than the one in which he has served.
- (5) The Director of sub-campus shall,-
- (a) be the chief academic and administrative officer of the sub-campus;
 - (b) oversee and monitor the administration of the academic programmes of the colleges and recognized institutions in the district;
 - (c) oversee and monitor general administration of the sub-campus of the university and ensure efficiency and good order of the university departments or schools or institutions on the sub-campus;
 - (d) act as a link between the university, colleges and recognized institutions in the district, as well as departments, schools or institutions on the sub-campus of the university;
 - (e) ensure that appropriate actions as are needed for maintenance of quality of teaching, as specified by the Internal Quality Assurance Cell and the university authorities, are initiated, records thereof are maintained, teachers' appraisal by students is carried out and reports thereof are sent to university authorities;
 - (f) co-ordinate evaluation, academic training workshops or seminars,

quality measurement and other academic, administrative, financial and related activities in the district and on the sub-campus;

- (g) ensure establishment of inter-institutional and intra-institutional information and communication technology linkages among the affiliated colleges and recognized institutions in the district;
- (h) ensure that the decisions of the colleges or university departments, schools, institutions on the sub-campus and their functioning is not inconsistent with this Act, Statutes and Regulations;
- (i) organize workshops and training programmes for the benefit of the teaching and support staff in the district and on the sub-Campus;
- (j) ensure that financial discipline is maintained and expenditures of the campus are within the budgetary provisions recommended by the sub-campus committee and sanctioned by the Finance and Accounts Committee of the university;
- (k) ensure that the annual audited accounts related to the sub-campus are prepared and sent to the university at the end of each financial year;
- (l) undertake any other task that may be assigned to him by the university authorities to ensure that the objectives of the university are accomplished;
- (m) exercise such other powers and perform such other duties as prescribed by or under this Act or assigned to him by the Vice- Chancellor, from time to time.

Director of Board of
National and
International
Linkages.

19.

- (1) The Director of Board of National and International Linkages shall be a full time salaried officer who shall cultivate, establish, maintain and strengthen the link of the university with premier national and international universities and institutions. He shall work directly under the superintendence, direction and control of the Vice- Chancellor.
- (2) Qualifications and experience for the purpose of selection of the Director of the Board of National and International Linkages shall be as may be specified by the State Government, by an Order published in the *Official Gazette*.
- (3) Appointment of Director of Board of National and International Linkages shall be made by the Vice-Chancellor on the recommendation of the Selection Committee constituted for the purpose under this Act.
- (4) Appointment of the Director of Board of National and International Linkages shall be for a term of five years and he shall be eligible for re-appointment by selection on the recommendation of a selection committee constituted for the purpose, for only one more term of five years in the university in which he is serving:

Provided that, the incumbent who has worked for one term or two terms, as the case may be, as the Director of Board of National and International Linkages may be eligible to apply for the said post in a university other than the one in which he has served.

- (5) The Director of Board of National and International Linkages shall,-
 - (a) implement the policies and strategies for promotion of international linkages with premier national and international universities and

institutions, as envisaged by the Board of National and International Linkages and the university authorities;

- (b) process applications for visits of teachers and students from university departments, institutions, conducted colleges, colleges and recognized institutions to national and international universities or institutions and assist them on logistic support for such visits;
- (c) oversee and monitor administration of Foreign Students' Assistance Cell which gives facility of a Single Window Operation to the foreign students;
- (d) process the applications received from foreign students for their visits to other parts of India;
- (e) supervise the working of the Migrant Indian Students' Cell established for providing Single Window Operation for students coming from other parts of the country;
- (f) undertake any other task that may be assigned to him by the university authorities to carry out the objectives of Board of National and International Linkages;
- (g) exercise such other powers and perform such other duties, as prescribed by or under this Act or assigned to him by the Vice-Chancellor, from time to time.

Director of Centre
for Innovation,
Incubation and
Enterprise.

20. (1) The Director of Centre for Innovation, Incubation and Enterprise shall be a full time salaried officer, responsible for creation and cultivation of an enabling environment to propagate the concept of innovation, and also for converting innovative ideas into working models through a process of incubation which shall finally lead to creation of an enterprise. He shall establish links with national and global bodies involved in similar tasks. He shall work directly under the superintendence, direction and control of the Vice-Chancellor.
- (2) Qualifications and experience for the purpose of selection of the Director of Centre for Innovation, Incubation and Enterprise shall be as may be specified by the State Government, by an Order published in the *Official Gazette*.
- (3) The Director of Centre for Innovation, Incubation and Enterprise shall be appointed by the Vice-Chancellor as per recommendation of the selection committee constituted for the purpose under this Act.
- (4) Appointment of the Director of Centre for Innovation, Incubation and Enterprise shall be for a term of five years and he shall be eligible for re-appointment by selection on the recommendation of a selection committee constituted for the purpose, for only one more term of five years in the university in which he is serving:
- Provided that, the incumbent who has worked for one term or two terms, as the case may be, as Director of Centre for Innovation, Incubation and Enterprise may be eligible to apply for the said post in a university other than the one in which he has served.
- (5) The Director of Centre for Innovation, Incubation and Enterprise shall,-
- (a) be the principal officer who shall lead and provide vision to the Centre

for Innovation, Incubation and Enterprise with his dynamism and enterprise;

- (b) spearhead the awareness and training programmes for imparting education on intellectual property rights and aspects associated therewith;
- (c) organize training programmes for creating awareness on the importance of entrepreneurship;
- (d) organize and create support system for cultivation and incubation of good ideas into a scalable mode that would eventually culminate into the establishment of small, medium and large industry;
- (e) work towards creating a liaison with national and international bodies and agencies involved in creating and developing entrepreneurial skills in students;
- (f) take all steps to facilitate colleges to establish linkages with knowledge based and other types of industries;
- (g) conduct training programmes to guide the young entrepreneurs in operational aspects, legal aspects, intellectual property rights, patent related issues, business model creation and financial aspects;
- (h) undertake any other task that may be assigned to him by the university authorities, to ensure that the objectives of the Centre for Innovation, Incubation and Enterprise are accomplished;
- (i) exercise such other powers and perform such other duties as prescribed by or under this Act or assigned to him by the Vice- Chancellor, from time to time.

Librarian.

21. (1) Librarian shall be a full time salaried officer of the university and shall be in-charge of the Knowledge Resource Centre in the university. He shall work directly under the superintendence, direction and control of the Vice-Chancellor.
- (2) Qualifications, experience, emoluments and terms and conditions of service of the Librarian shall be as recommended by the University Grants Commission and adopted by the State Government.
- (3) The appointment of the Librarian shall be made by the Vice-Chancellor on the recommendation of the selection committee constituted for the purpose.
- (4) The Librarian shall,-
- (a) be a Member-Secretary of the Knowledge Resource Centre Committee and shall ensure proper implementation of the decisions taken by the Knowledge Resource Centre Committee;
 - (b) be the custodian of all books, periodicals, manuscripts, journals in print, audio and digital format, and equipment in the Knowledge Resource Centre;
 - (c) evolve and implement such processes and procedures to ensure that the books, periodical, manuscripts, journals and equipment in the Knowledge Resource Centre are not lost or damaged, and no irregularities take place in the Knowledge Resource Centre;
 - (d) cause periodical verification of stock, prepare appropriate report that includes losses, and place it before the Knowledge Resource Centre

Committee;

- (e) be responsible for the development, modernization, upkeeping and management of university Knowledge Resource Centre;
- (f) render assistance and guidance to the concerned officer at Knowledge Resource Centre on the sub-campus of the university;
- (g) render assistance and advice to libraries and librarians of affiliated colleges and recognized institutions by conducting annual meeting of the librarians of affiliated colleges and recognized institutions;
- (h) conduct training programmes and workshops to update the skills and knowledge of librarians of affiliated colleges and recognized institutions;
- (i) create awareness among the students of various departments of the university regarding the availability of resources, information, search techniques and databases through the information literacy programme;
- (j) undertake any other task assigned to him by the university authorities to ensure that the objectives of Knowledge Resource Centre are accomplished;
- (k) exercise such other powers and perform such other duties as prescribed by or under this Act or assigned to him by the Vice- Chancellor, from time to time.

Director of Students' Development.

22.

- (1) The Director of Students' Development shall be a full time salaried officer of the university and shall be responsible to carry out the activities of the Board of Students' Development. He shall work directly under the superintendence, direction and control of the Provost.
- (2) Qualifications and experience for the purpose of selection of the Director of Students' Development shall be as may be specified by the State Government, by an Order published in the *Official Gazette*.
- (3) The Director of Students' Development shall be appointed by the Vice-Chancellor on the recommendation of the selection committee constituted for the purpose under this Act.
- (4) Appointment of the Director of Students' Development shall be for a term of five years and he shall be eligible for re-appointment by selection on the recommendation of a selection committee constituted for the purpose, for only one more term of five years in the university in which he is serving:

Provided that, the person who has worked for one term or two terms, as the case may be, as Director of Students' Development may be eligible to apply for the said post in a university other than the one in which he has served.
- (5) The Director of Students' Development shall,-
 - (a) work towards promotion of cultural, recreational and welfare activities of students in colleges, institutions and university departments;
 - (b) conduct leadership training programmes for students;
 - (c) ensure that there are mentors and counseling cells for the young students in colleges, institutions and university departments;
 - (d) organize anti-ragging committees and squads and ensure that all

necessary measures are taken to prevent ragging in the university, colleges and the institutions;

- (e) look into the grievances and general welfare of the students;
- (f) help in building up the all-round personality of students and to groom them to be future leaders and confident adults;
- (g) organize cultural and recreational activities jointly with regional and national bodies;
- (h) promote the interest of the youth and develop their skills for appreciation of the performing arts, pure arts and literary skills;
- (i) organize university level competitions, skills development workshops and interactive programmes in various fields for the students;
- (j) train the students for state and national level competitions in various cultural activities;
- (k) conduct elections to the University Students' Council;
- (l) undertake any other task assigned to him by the university authorities to carry out objectives of the Board of Students' Development;
- (m) exercise such other powers and perform such other duties as prescribed by or under this Act or assigned to him, by the Vice-Chancellor, from time to time.

Director of Sports
and Physical
Education

23. (1) The Director of Sports and Physical Education shall be a full time salaried officer responsible for promoting the culture of sports and supervising sports related activities in the university, colleges and recognized institutions. He shall work under the superintendence, direction and control of the Provost.
- (2) Qualifications and experience for the purpose of selection of the Director of Sports and Physical Education shall be as may be specified by the State Government, by an Order published in the *Official Gazette*.
- (3) The Director of Sports and Physical Education shall be appointed by the Vice-Chancellor on the recommendation of the selection committee constituted for the purpose under this Act.
- (4) Appointment of the Director of Sports and Physical Education shall be for a term of five years and he shall be eligible for re-appointment by selection on the recommendation of a selection committee constituted for the purpose, for only one more term of five years in the university in which he is serving:
Provided that, the person who has worked for one term or two terms, as the case may be, as Director of Sports and Physical Education may be eligible to apply for the said post in a university other than the one in which he has served.
- (5) The Director of Sports and Physical Education shall,-
- (a) cultivate excellence in various domains of sports and also to promote a spirit of healthy competition;
 - (b) promote sports culture and organize activities in the field of sports in colleges, institutions and university departments;
 - (c) co-ordinate and organize activities related to various sports jointly with regional and national bodies;

- (d) organize university level competitions, sports skill development camps in various sports on the university campus;
- (e) train students for regional, national and international competitions in various sports;
- (f) undertake any other task that may be assigned to him by the university authorities, so as to carry out objectives of the Board of Sports and Physical education;
- (g) exercise such other powers and perform such other duties as prescribed by or under this Act or assigned to him by the Vice- Chancellor, from time to time.

Officers, members of authorities, bodies and employees of university to be public servants. XLV of 1860.

24.

All salaried officers, members of the authorities, committees or bodies, teachers of the university and other employees of the university, shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

Authorities of university.

25.

The following shall be the authorities of the university, namely: -

- (1) the Senate;
- (2) the Management Council;
- (3) the Academic Council;
- (4) the Faculty;
- (5) the Board of Deans;
- (6) the Board of Sub-Campuses of the university;
- (7) the Board of Studies;
- (8) the Board of University Departments and Inter-disciplinary studies;
- (9) the Board of Post-Graduate Education in Colleges;
- (10) the Board of Lifelong Learning, Value Education and Life Skills Development;
- (11) the Board of Examinations and Evaluation;
- (12) the Board of Information Technology;
- (13) the Board of Integration of Technology in Academics, Finances and Administration;
- (14) the Board of National and International Linkages;
- (15) the Board for Innovation, Incubation and Enterprise;
- (16) the Board of Students' Development;
- (17) the Board of Sports and Physical Education;
- (18) the Board of Research;
- (19) such other bodies of the university as are designated by the Statutes to be the authorities of the university.

Power of State Government to specify eligibility conditions for being member of any authority of university.

26. Notwithstanding anything contained in any other provisions of this Act, in consultation with the Chancellor, the State Government may, by an order published in the *Official Gazette*, specify the eligibility conditions for being elected, nominated or co-opted as a member of any authority of the university.

Senate.

27. (1) The Senate shall be the principal authority for all financial estimates and budgetary appropriations and for providing social feedback to the university on current and future academic programmes.

(2) The Senate shall consist of the following members, namely: -

- (a) the Vice-Chancellor- Chairperson;
- (b) the Provost;
- (c) the Deans of Faculties;
- (d) the Director of Board of Examinations and Evaluation;
- (e) the Finance and Accounts Officer;
- (f) the Directors of Sub-Campuses of the university;
- (g) the Director of Higher Education or his nominee not below the rank of Joint Director;
- (h) the Director of Technical Education or his nominee not below the rank of Joint Director;
- (i) the Librarian of the university;
- (j) the Director of Board of Students' Development;
- (k) the Director of Sports and Physical Education;
- (l) one head of the Academic Services Units of the university nominated by the Vice-Chancellor, by rotation as prescribed;
- (m) the Director of Board of Lifelong Learning, Value Education and Life Skills Development;
- (n) four principals of the affiliated, conducted and autonomous college, of whom not less than one shall be a woman and at least one shall be a person belonging to the Scheduled Castes or Scheduled Tribes or Denotified Tribes (Vimukta Jatis)/Nomadic Tribes or Other Backward Classes or Special Backward Category, by rotation, elected by the electoral college consisting of principals;
- (o) four representatives of the managements of affiliated colleges or recognized institutions elected by the electoral college consisting of Chairman or President or the representative of the managements as the management may recommend. Where a management conducts one or more colleges or institutions, only one Chairman or President or representative of such management as the case may be, shall be the member of the electoral college:
Provided that, out of the four representatives, one shall be a woman and one shall be a person belonging to the Scheduled Castes or Scheduled Tribes or Denotified Tribes (Vimukta Jatis)/Nomadic Tribes or Other Backward Classes or Special Backward Category, by rotation;
- (p) the president and the secretary of the University Students' Council;
- (q) four teachers representing each faculty, of which one shall be a woman and one shall be a person belonging to the Scheduled Castes

or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*)/Nomadic Tribes or Other Backward Classes or Special Backward Category, by rotation, having teaching experience of not less than five years other than heads of university departments or university institutions or principals or Heads of recognized institutions, elected by the teachers from amongst themselves, the seats are allotted facultywise and the voting in common;

- (r) two members of the Maharashtra Legislative Assembly, nominated by the Speaker of the Maharashtra Legislative Assembly and two members of the Maharashtra Legislative Council, nominated by the Chairman of the Maharashtra Legislative Council;
- (s) four members from the registered graduates of the university elected by electoral college constituted as provided in sub-section (5) of section 109, of whom one shall be a woman and one shall be a person belonging to the Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*)/Nomadic Tribes or Other Backward Classes or Special Backward Category, by rotation:

Provided that, the registered graduates shall not include the graduates falling in or covered by the category of teachers (regular or on contract basis, irrespective of their teaching experience), principals, heads of the departments, management or any other categories mentioned in this sub-section;

- (t) four persons, nominated by the Chancellor, who shall include distinguished educationists, scholars, social workers, women, persons belonging to the minorities, backward communities, finance and investment, research and development, industry and professions;
- (u) one person from amongst the heads of recognized institutions nominated by the Chancellor;
- (v) two persons from amongst heads of the university departments or of the university institutions not below the rank of Associate Professor, nominated by the Vice-Chancellor;
- (w) two persons, nominated by the Vice-Chancellor one of whom shall be an employee of the university and the other shall be from amongst the employees of the affiliated colleges or recognized institutions other than teachers;
- (x) one representative of the donor-individuals or donor-organizations, nominated by the Chancellor;
- (y) two post-graduate teachers, having not less than five years teaching experience at the post graduate level, elected by the post-graduate teachers from amongst themselves, of which one shall be a person belonging to the Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*)/Nomadic Tribes or Other Backward Classes or Special Backward Category, by rotation;
- (z) one representative of the Education Committees of *Zilla Parishads* within the university area, nominated by the Education Committee for the term of one year, by rotation;
- (aa) one representative of a Municipal Council or a Municipal

Corporation within the university area, nominated by the Vice-Chancellor for a term of one year by rotation.

(bb) the Registrar - Member-Secretary.

- (3) The Senate shall meet twice a year on the date to be fixed by the Chancellor. One of the meetings shall be the annual meeting.
- (4) The Senate shall transact the following business at its meeting, namely:-
 - (a) to give suggestions to the university authorities on improvements that can be made in all areas and domains that are an integral part of the university, namely, academics, research and development, administration and governance;
 - (b) to review current academic programmes and collaborative programmes;
 - (c) to suggest new academic programmes consistent with the societal requirements in higher education;
 - (d) to suggest measures for improvement and development of the university;
 - (e) to confer, on the recommendation of the Management Council, honorary degrees or other academic distinctions;
 - (f) to review broad policies and programmes of the university and suggest measures for its improvement and development;
 - (g) to discuss and approve the annual financial estimates (budget), the annual reports, accounts and audit reports of the university, as received from the Management Council.

Management Council.

28. (1) The Management Council shall be the principal executive and policymaking authority of the university and shall be responsible for administering the affairs of the university and carrying out such duties, which are not specifically assigned to any other authority.
- (2) There shall be not less than four meetings of the Management Council in a year.
- (3) Procedure for conduct of business to be followed at a meeting including the quorum at the meeting and such other matters in relation to meetings as may be necessary, shall be such as may be prescribed by the Statutes.
- (4) The Management Council shall consist of following members, namely:-
 - (a) the Vice-Chancellor - Chairperson;
 - (b) the Provost;
 - (c) two heads of institutes or organizations of national repute, established by an Act of Parliament, preferably situated within the area of the university, nominated by the Chancellor;
 - (d) Deans of faculties;
 - (e) the Director of Higher Education or his nominee, not below the rank of Joint Director of Higher Education;
 - (f) two academicians of repute, nominated by the Vice-Chancellor;
 - (g) one head or Director, nominated by the Vice-Chancellor, from amongst the heads or directors of the university departments or university institutions;
 - (h) one principal nominated by the Senate, from amongst the principals,

- who are its members;
- (i) one under-graduate teacher, nominated by the Senate, from amongst the under-graduate teachers, who are its members;
 - (j) one representative of management, nominated by the Senate, from amongst the representatives of managements, who are its members;
 - (k) two representatives, nominated by the Academic Council from amongst its members of whom one shall be a woman,
 - (l) the Director, Board of Examinations and Evaluation;
 - (m) the Finance and Accounts Officer;
 - (n) the Registrar - Member-Secretary.
- (5) The Management Council shall have the following powers and duties, namely:-
- (a) to review and deliberate on short and long term reforms in academic, research and development activities, finances, management and governance that are taking place at the national and global level with a view to allow them to percolate into the university;
 - (b) to study and decide upon the operative mechanism for the reforms that would be recommended by the Maharashtra State Commission of Higher Education and Development in all the domains of the university;
 - (c) to make such provisions, as may enable colleges and institutions to undertake specialized studies and courses, and where necessary or desirable, organize and make provision for common laboratories, libraries, museums and equipment for teaching and research;
 - (d) to establish departments, colleges, schools, centres, institutions of higher learning, research and specialized studies, on the recommendation of the Academic Council;
 - (e) to make, amend or repeal Statutes and Regulations;
 - (f) to control and arrange for administration of assets and properties of the university;
 - (g) to discuss and approve with modifications, if any, the annual financial estimates (budget) of State Government funds, university funds and other funding agencies separately, as received from the Finance and Accounts Committee;
 - (h) to consider proposals to enter into, amend, carry out and cancel contracts on behalf the university;
 - (i) to determine the form of common seal for the university and provide for its use;
 - (j) to accept, on behalf of the university the transfer of any trusts, bequests, donations and transfer of any movable, immovable and intellectual property to the university;
 - (k) to transfer by sale or otherwise, any movable or intellectual property rights on behalf of the university;
 - (l) to transfer by sale or lease or contract any immovable property to other organization with the prior permission of the State Government:
Provided that, any immovable property may be permitted to be used for the specific period, for the purpose of providing essential

physical facilities for accomplishment of objects of the university, such as bank, canteen, post office, mobile towers, etc., without prior approval of the State Government;

- (m) to create immovable assets in the form of land, building and other infrastructure out of reserve funds, for its campus and sub-campuses;
- (n) to borrow, lend or invest funds on behalf of the university as recommended by the Finance and Accounts Committee;
- (o) to lay down policy for administering funds at the disposal of the university for specific purposes;
- (p) to provide buildings, premises, furniture, equipment and other resources needed for the conduct of the work of the university;
- (q) to recommend the conferment of honorary degrees and academic distinctions;
- (r) to institute and confer such degrees, diplomas, certificates and other academic distinctions as recommended by the Academic Council and arrange for convocation for conferment of the same, as provided by the Ordinances;
- (s) to institute fellowship, travelling fellowship, scholarship, studentship, exhibitions, awards, medals and prizes, and prescribe Regulations for their award;
- (t) to make Regulations for collaborations with other universities, institutions and organizations for mutually beneficial academic programmes recommended by the Board of Deans;
- (u) to create posts of university teachers and non-vacation academic staff from the funds of the university and from the funds received from other funding agencies, on the recommendation of the Academic Council, as and when required, and prescribe their qualifications, experience and pay-scales;
- (v) to create posts of officers, non-teaching skilled, administrative, ministerial staff and other posts from the funds of the university and from the funds received from other funding agencies, as and when required, and prescribe their qualifications, experience and pay-scales;
- (w) to prescribe honoraria, remunerations and fees for services and travelling and other allowances for paper-setters and other examination staff, visiting faculty, and for such other services rendered to the university ;
- (x) to consider and approve proposals for change or transfer of management and shifting of locations of colleges and institutions, as prescribed in the Statutes;
- (y) to receive and consider report of the development activities of the university received from the Registrar every six months;
- (z) to confer autonomous status on university departments, university institutions, affiliated colleges and recognized institutions on the recommendation of the Academic Council, as per the Statutes;
- (aa) to assess and approve proposals for academic programmes received from the Academic Council;
- (bb) to consider and adopt the annual report, annual accounts and audit

report in respect of State Government funds, university funds and funds received from other agencies separately;

(cc) to cause an inquiry to be made in respect of any matter concerning the proper conduct, working and finances of colleges, institutions or departments of the university;

(dd) to delegate, any of its powers, except the power to make, amend or repeal Statutes, to the Vice-Chancellor or such officer or authority of the university or a committee appointed by it, as it thinks fit;

(ee) to define the functions, duties, powers and responsibilities of non-teaching employees in the university, in respect of the posts created from the funds of the university and from the funds received from other funding agencies,;

(ff) to deal with the cases related to the violation of prescribed fees according to the provisions of the Maharashtra Educational Institutions (Prohibition of Capitation Fee) Act, 1987 and other relevant Acts;

(gg) to accept donations, gifts and other forms of financial support from alumni, philanthropists, industries and other stakeholders and prescribe the procedure to be followed by the university for accepting such donations, gifts, etc;

(hh) to impose penalties upon the erring colleges or recognized institutions after following the procedure laid down by the Statutes.

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Academic Council.

29. (1) The Academic Council shall be the principal academic authority of the university and shall be responsible for regulating and maintaining the standards of teaching, research and evaluation in the university. It shall also be responsible for laying down the academic policies in regard to maintenance and improvement of standards of teaching, research, extension, collaboration programmes in academic matters and evaluation of workload of the teachers.
- (2) The Academic Council shall meet not less than four times in a year.
- (3) The Academic Council shall consist of the following members, namely:-
- (a) the Vice-Chancellor, Chairperson;
 - (b) the Provost;
 - (c) Deans of Faculties;
 - (d) Director of Sub-campuses;
 - (e) the Vice-Chancellor shall nominate the following members, as per the recommendations of the search committee appointed by him for this purpose, in consultation with the Chancellor, namely:-
 - (i) three principals of the affiliated, conducted and autonomous colleges, of whom one shall be a woman and one shall be from the persons belonging to the category of the Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*) /Nomadic Tribes or Other Backward Classes or Special Backward Category, by rotation;
 - (ii) one professor representing each faculty from amongst the professors in the university departments or university institutions,

of whom one shall be a woman;

(iii) one head of a recognized institution:

Provided that, the members so nominated by the Vice-Chancellor shall have outstanding academic contribution in the field of higher education;

(f) one teacher representing each faculty to be co-opted by the Academic Council from amongst the teachers, other than principals of colleges, university teachers and heads of recognized institutions;

(g) two eminent experts from the institutes or organizations of national repute, established by an Act of Parliament, preferably situated within the area of the university, nominated by the Chancellor;

(h) the Director of Higher Education or his nominee, not below the rank of the Joint Director, Higher Education;

(i) one representative of management nominated by the Senate, from amongst the representatives of managements, who are its members;

(j) Director, Board of Examinations and Evaluation;

(k) the Registrar - Member-Secretary.

(4) The Academic Council shall have the following powers and duties, namely:-

(a) to ensure that the university becomes a vibrant hub for promotion of research and development, interactions and linkages with industries, cultivation of intellectual property rights and entrepreneurship and incubation of knowledge linked industries;

(b) to consider and approve with modifications, if any, the matters referred to it by the Board of Studies through the faculty;

(c) to ensure that there are choice based credit systems for all certificates diplomas, degrees, post-graduate programmes and other academic distinctions;

(d) to ensure that the spirit of research and entrepreneurship percolates to all colleges and recognized institutions of the university;

(e) to approve fees, other fees and charges as recommended by the Board of Deans;

(f) to recommend to the Management Council, the institution of degrees, diplomas, certificates and other academic distinctions;

(g) to make, amend or repeal Ordinances and Regulations relating to academic matters;

(h) to allocate subjects to the faculties;

(i) to prescribe qualifications and norms for appointment of paper-setters, examiners, moderators and others, concerned with the conduct of examinations and evaluation;

(j) to consider and make recommendations to the Management Council for creation of posts of university teachers and non-vacation academic staff, required by the university from the funds of the university and from the funds received from other funding agencies and prescribe their qualifications, experience and pay-scales;

(k) to prescribe norms for recognition of any member of the staff of an affiliated college or recognized institution as a teacher of the

university, in consonance with the norms of the University Grants Commission and the State Government;

- (l) to prescribe norms for granting affiliation, continuation of affiliation, extension of affiliation to colleges, and recognition, continuation of recognition, extension of recognition to institutions of higher learning and research or specialized studies;
- (m) to accord recognition to various certificate, diploma, advanced diploma and degrees programmes run by private skills education providers and empowered autonomous skills development colleges, in consonance with the norms of the University Grants Commission and the State Government;
- (n) to approve the perspective plan and annual plan for the location of colleges and institutions of higher learning, as prepared by the Board of Deans;
- (o) to recommend to the Management Council conferment of autonomous status on institutions, departments, affiliated or conducted colleges and recognized institutions in accordance with the provisions of the Statutes;
- (p) to approve new courses, inter-disciplinary courses and short-term training programmes referred to it by the Board of Deans;
- (q) to approve the course syllabi, paper-setters, examiners and moderators paper-setters, examiners and moderators s and evaluation schemes of various courses recommended by the faculty concerned;
- (r) to advise the university on all academic matters and submit to the Management Council feasibility reports on academic programmes recommended by the Senate at its previous annual meeting;
- (s) to create policy, procedure and practice for choice based credit system for all academic programmes;
- (t) to create policy for mobility of students among various universities of the State and also lay down the policy for giving flexibility to choose and learn different course modules among different faculties in a university or other universities in the State;
- (u) to work out the procedures, policies and practices to introduce more flexible approach to education and of 'adaptive pace of learning' with minimum and maximum duration for completion of a degree and other academic programmes;
- (v) to ensure that the research projects are an integral part of choice based modules for post-graduate programmes;
- (w) to prepare academic calendar of the university for the subsequent academic year as per the guidelines from the University Grants Commission and the State Government, three months before the expiry of the current academic year;
- (x) to recommend to the Management Council establishment of departments, colleges, schools, centres, institutions of higher learning, research and specialized studies;
- (y) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act, the Statutes,

Ordinances and Regulations.

- (5) The Academic Council shall refer all matters or decisions involving financial implications to the Management Council for approval.

Faculty.

30. (1) The faculty shall be the principal academic coordinating authority of the university in respect of studies and research in relation to the subjects included in the respective faculty and also in respect of studies and research in multi-faculties.
- (2) The university shall have following four faculties, namely:-
(i) Faculty of Science and Technology;
(ii) Faculty of Humanities;
(iii) Faculty of Commerce and Management;
(iv) Faculty of Inter-disciplinary Studies.
- (3) Each faculty shall comprise such subjects as prescribed by the Statutes.
- (4) A faculty shall consist of the following members, namely-
(a) the Dean of the faculty - *ex-officio* Chairperson;
(b) Chairpersons of each Board of Studies for the subjects comprised in the faculty, including the under-graduate and post-graduate boards;
(c) one person, nominated by each Board of Studies, who is an approved teacher and is otherwise eligible to be nominated as a member of the Board of Studies:
Provided that, the person so nominated shall not be a member of any Board of Studies;
(d) five special invitees, who are eminent scholars with proven academic achievement in the subjects within the faculty, to be nominated by the Vice-Chancellor.
- (5) The faculty shall have the following powers and duties, namely:--
(a) to consider the report on any matter referred to it by the Management Council, Academic Council or Board of Deans;
(b) to create time bound operative mechanisms for implementation of the academic policy decisions;
(c) to consider and recommend with modifications, if any, to the Academic Council, the matters referred to it by the Board of Studies;
(d) to recommend to the Academic Council the course syllabi, course structures and evaluation schemes of various courses, as forwarded by the Board of Studies;
(e) to study and certify the curricula made by the autonomous colleges, empowered autonomous colleges or cluster of institutions;
(f) to recommend to the Board of Deans the requirements regarding the conduct of post-graduate or under-graduate teaching, research, training and instruction, in university departments or institutions, affiliated colleges and recognized institutions, including the manpower requirement;
(g) to consider and recommend to the Board of Deans, new courses, inter-disciplinary courses and short-term training programmes referred to it by the Boards of Studies or the Board of University Departments and Inter-disciplinary Studies;

- (h) to ensure that guidelines framed by the Academic Council in relation to teaching, research, training and instruction, are implemented:-
- (i) to plan and organize inter-departmental and inter-faculty programmes in consultation with the Board of Deans, Boards of Studies and the Board of University Departments and Inter-disciplinary Studies;
- (j) to recommend to the Academic Staff College and the Academic Council, conduct of refresher and orientation programmes for teachers of affiliated colleges and university departments, especially for the revised or newly introduced or inter-disciplinary courses of study;
- (k) to prepare and submit the annual report of the functioning of the faculty to the Vice-Chancellor.
- (l) to undertake any other task in respect of studies and research in relation to the subjects included in the faculty and also in multi-faculties, as may be assigned to it by the university authorities.

Board of Deans.

31. (1) There shall be a Board of Deans to co-ordinate, oversee, implement and to supervise the academic activities of the university. It shall be responsible to plan the development of the university in academics, research and development, entrepreneurship, intellectual property rights, incubation of industries and linkages with industries for integrated planning. It shall also plan, monitor, guide and co-ordinate under-graduate and post-graduate academic programmes and development of affiliated colleges.
- (2) The Board of Deans shall consist of the following members, namely:-
- (a) the Provost, Chairperson;
 - (b) the Dean of faculties.
- (3) The Board of Deans shall have the following powers and duties, namely:-
- (a) to make recommendations to the Academic Council for the conduct of post-graduate courses in university departments and post-graduate departments in colleges and recognized institutions;
 - (b) to consider and recommend to the Academic Council, new courses, inter-disciplinary courses and short-term training programmes referred to it by the faculty;
 - (c) to control, regulate and co-ordinate research activities to maintain standards of teaching and research in the university departments and post-graduate departments in colleges and recognized institutions;
 - (d) to recommend to the Academic Council, the norms of recognition of post-graduate teachers and research guides in colleges and recognized institutions;
 - (e) to grant recognition to the post-graduate teachers and research guides as recommended by the Research and Recognition Committee in accordance with the norms prescribed by the Academic Council;
 - (f) to recommend to the Vice-Chancellor recognition of private skills education providers and empowered autonomous skills education colleges by following the procedure as prescribed under this Act;
 - (g) to consider and recommend to the Academic Council the proposals submitted by the private skills education providers and empowered

- autonomous skills development colleges in respect of starting new certificate, diploma, advanced diploma and degree programmes and designing the curricula thereof;
- (h) to prepare a perspective plan of five years for the location of colleges and institutions of higher learning in a manner ensuring equitable distribution of facilities for higher education, as per the guidelines framed by the Maharashtra State Commission of Higher Education and Development;
- (i) to prepare the annual plan for the location of colleges and institutions of higher learning, in consonance with the perspective plan;
- (j) to conduct academic audit of the university departments, institutions, affiliated colleges, autonomous university departments and institutions, empowered autonomous colleges, cluster of institutions, empowered autonomous skills development colleges and recognized institutions, which shall be carried out by an Academic Audit Committee, having an equal number of internal and external members;
- (k) to oversee the continuation of affiliation to colleges and continuation of recognition to institutions through a system of academic audit;
- (l) to recommend proposals to the Academic Council for the establishment of conducted colleges, schools, departments, institutions of higher learning, research and specialized studies, academic services units, libraries, laboratories and museums in the university;
- (m) to consider and make recommendations to the Academic Council for creation of posts of university teachers and non-vacational academic staff required by the university, from the funds of the university and from the funds received from other funding agencies, and prescribe their qualifications, experience and pay-scales;
- (n) to make proposal to the Management Council for the institution of fellowship, travelling fellowship, scholarship, studentship, medals and prizes and make Regulations for their award;
- (o) to recommend to the Management Council through the Academic Council, the proposal for the conduct of inter-faculty and area or regional studies, common facilities, such as instrumentation centers, workshops, hobby centers, museums, etc.;
- (p) to recommend to the Academic Council the proposals to prescribe fees, other fees and charges through a Fee Fixation Committee;
- (q) to draft Statutes and Ordinances, and place them before the Management Council and the Academic Council, as the case may be, for its approval;
- (r) to draft Regulations and place them before the Management Council and the Academic Council, as the case may be, for its approval;
- (4) The Board of Deans shall appoint a Research and Recognition Committee for each Board of Studies.
- (a) The Research and Recognition Committee shall consist of the following members, namely:-

- (i) the Dean of the faculty concerned, Chairperson;
 - (ii) the Chairperson, Board of Studies;
 - (iii) the Head of the university department of the subject concerned;
 - (iv) two experts in the subject, to be nominated by the Vice-Chancellor, not below the rank of Professor, who have successfully guided at least five Ph.D. students and have published research work in recognized or reputed national or international journals, anthologies, etc., one of whom shall be from outside the university;
- (b) the Research and Recognition Committee shall have the following powers and duties, namely:-
- (i) to approve the topic of thesis or dissertation in the subject;
 - (ii) to recommend to the Board of Studies, a panel of referees for theses or dissertations for awarding post-graduate, doctorate and higher degrees, based on the criteria as approved by the Academic Council;
 - (iii) to recommend to the Board of Deans, by following appropriate process, names of post-graduate teachers, research scientists in the recognized research and other institutions, active research and development experts having not less than fifteen years' experience in research and development laboratories or centres in variety of industries, for recognition as approved research guides;
 - (iv) to undertake any other task in academic and research and development matters, as may be assigned to it by the Board of Deans, the Faculty and the Academic Council.

Board of Sub-campuses of University.

32. (1) There shall be a Board of sub-campuses of the university to organize the task and activities of the sub-campuses. It shall consist of the following members, namely:-
- (a) the Provost, Chairperson;
 - (b) the Deans of faculties;
 - (c) the Finance and Accounts Officer;
 - (d) the Directors of all sub-campuses;
 - (e) two members of the Management Council, to be nominated by the Vice-Chancellor, one of whom shall be a principal and the other shall be a representative of the management;
 - (f) the Director, Board of Examinations and Evaluation;
 - (g) the Director, Board of Students' Development;
 - (h) the Director, Sports and Physical Education;
 - (i) the Registrar - Member-Secretary.
- (2) The Board of sub-campuses of the university shall meet at least three times a year.
- (3) The Board of sub-campuses of the university shall have the following powers and duties, namely:-
- (a) to co-ordinate the under-graduate and post-graduate educational

- activities in the district;
- (b) to ensure implementation of various academic, administrative and governance mechanisms of the parent university;
- (c) to co-ordinate the intra-institutional and inter-institutional information and communication technology linkages among the institutions of higher education in the district;
- (d) to carry out in association with colleges workshops and training programmes for the benefit of teachers and non-teaching employees;
- (e) to co-ordinate the examination and evaluation related activities in the district;
- (f) to co-ordinate creation of research plans, development plans and other fund raising activities for the colleges and institutions in the district and establish links with the central office of the parent university;
- (g) to co-ordinate teaching and learning activities at post-graduate level amongst the colleges and institutions, and render necessary assistance in this regard;
- (h) to work as a district level gateway of the university for all academic and administrative tasks of students, research students, teachers, supporting staff and other members of the society;
- (i) to prepare financial needs and annual financial estimates (budget) for the financial year and submit it to the central office of the parent university;
- (j) to undertake any other task as may be assigned by the university authorities so as to carry out objectives of the university.

Board of Studies.

33. (1) There shall be a Board of Studies for every subject or group of subjects prescribed by the Statutes. The Board of Studies shall be the primary academic body of the university.
- (2) Boards of Studies shall be of two types, namely:-
- (a) Under-Graduate Board of Studies for every subject or group of subjects, as may be prescribed;
 - (b) Post-Graduate Board of Studies for every subject or group of subjects in inter-disciplinary schools and departments, as may be prescribed.
- (3) The Under-Graduate Board of Studies shall consist of the following members, namely:-
- (a) head of the university department or institution in the relevant subject:

Provided that, where there is no university department in the subject, the Board shall, at its first meeting co-opt the head of the department from an affiliated college or a recognized institution having post-graduate teaching in the subject;
 - (b) six heads of departments in affiliated colleges and recognized institutions, nominated by the Vice-Chancellor, as per the recommendations of the search committee appointed by him for the purpose.
 - (c) one member, nominated by the Post-Graduate Board of Studies in

- the subject concerned, from amongst its members;
- (d) the Under-Graduate Board of Studies, at its first meeting, shall co-opt,-
- (i) one professor from other universities; and
 - (ii) one eminent person who is,-
 - (a) either a person holding a rank not lower than that of Assistant Director, in national laboratories or institutions or recognized institutions; or
 - (b) expert in the related field having published, at least one reference book in the subject or at least three research papers in the recognized national or international journals; or
 - (c) an eminent scientist or eminent person from the subject related industry or association or professional bodies.
- (4) Chairperson of the Under-Graduate Board of Studies shall be elected by the members of the Board from amongst themselves.
- (5) The Post-Graduate Board of Studies shall consist of following members, namely:-
- (a) head of the university department or institution in the relevant subject, as a Chairperson:

Provided that, where there is no university department in the subject the Board shall, at its first meeting co-opt the head of the department from an affiliated college or a recognized institution having post-graduate teaching in the subject;
 - (b) seven post-graduate teachers, nominated by the Vice-Chancellor, as per the recommendations of the search committee appointed by him for this purpose, from the following categories, namely:-
 - (i) three teachers from amongst the full time teachers of the university departments in the relevant subject;
 - (ii) two teachers from amongst full time approved post-graduate teachers in affiliated colleges;
 - (iii) two teachers from amongst the recognized post-graduate teachers of recognized institutions or post-graduate centers;
 - (c) Chairperson of the Under-Graduate Board of Studies in the relevant subject;
 - (d) the Post-Graduate Board of Studies, at its first meeting, shall co-opt,-
 - (i) one professor from other universities; and
 - (ii) one eminent person who is,-
 - (a) either a person holding a rank not lower than that of Assistant Director, in national laboratories or institutions or recognized institutions; or
 - (b) expert in the related field having published, at least one reference book in the subject or at least three research papers in the recognized national or international journals; or
 - (c) an eminent scientist or eminent person from the subject related industry or association or professional bodies.
- (6) The Board of Studies shall have the following powers and duties,

namely:-

- (a) to recommend to the Management Council through the faculty or faculties concerned and the Academic Council, the introduction of new diplomas and degrees;
- (b) to recommend to the Management Council through the faculty or faculties concerned and the Academic Council, the discontinuation of diplomas and degrees which have become irrelevant;
- (c) to recommend to the faculty concerned, the course syllabi, course structures and evaluation schemes of various courses;
- (d) to recommend to the faculty, reference books or supplementary reading books or text books and such other material useful for study of the course;
- (e) to recommend to the faculty, modifications in respect of addition or deletion or updating of courses;
- (f) to prepare the panels of paper-setters, examiners and moderators for the university examinations and evaluation, based on the criteria laid down by the Academic Council;
- (g) to recommend to the Provost, the panel of referees to evaluate the theses or dissertations for awarding post-graduate, doctorate and higher degrees;
- (h) to suggest to the Dean of the faculty concerned, organization of orientation and refresher courses in the subject in the summer or winter vacations;
- (i) to prepare the requirements with regard to library, laboratory, equipment in respect of courses concerned;
- (j) to suggest extension programmes with respect to the courses introduced;
- (k) to understand the requirements of industry or corporate or society at large and to incorporate them into the syllabi to make the teaching-learning process relevant to the needs of the time;
- (l) to encourage learning by collaboration and participation by using information and communication technology tools;
- (m) to design curricula, add vocational content to every discipline and to prescribe the minimum period to pursue skill development programme and the level of proficiency expected;
- (n) to ratify curricula, all processes and practices developed by the autonomous colleges, university departments or institutions, autonomous recognized institutions, empowered autonomous colleges or cluster of institutions, empowered skills development colleges, and recommendations in respect of recognition of teachers or experts.

Board of University
Departments and
Interdisciplinary Studies.

34. (1) There shall be a Board of University Departments and Interdisciplinary Studies to promote interdisciplinary education and research on campus and also network with national and international institutions and create an academic and research and development environment that allows free flow of ideas amongst several disciplines.
- (2) The Board of University Departments or Interdisciplinary Studies shall

consist of the following members, namely:-

- (a) the Vice-Chancellor, Chairperson;
 - (b) the Provost, Vice-Chairperson;
 - (c) the Deans of faculties;
 - (d) four experts, to be nominated by the Vice-Chancellor from other universities or national level research and development laboratories, one each having minimum experience of five years as a professor or equivalent position in research and development laboratories, in each of the disciplines of science, technology, humanities, commerce and management and interdisciplinary studies;
 - (e) four heads of departments or senior professors representing various subjects or disciplines in an equitable manner, to be nominated by the Vice-Chancellor;
- (3) The Dean of Faculty of Interdisciplinary Studies shall act as a Member-Secretary.
- (4) The Board shall meet at least three times a year.
- (5) The Board of University Departments and Interdisciplinary Studies shall have the following powers and duties, namely:-
- (a) to devise long term policy and strategy for promotion of quality post-graduate education on university campus;
 - (b) to prepare a comprehensive development plan for post-graduate education in university departments;
 - (c) to work on annual financial estimates (budget) for university departments;
 - (d) to co-ordinate the research and development activities with the Board of Research;
 - (e) to establish linkages with foreign and Indian premier teaching and research and development institutions or universities for strengthening of teaching and research and development activities on the campus of the university;
 - (f) to work in tandem with the Board of National and International Linkages to collaborate with national and international agencies, universities and institutions for sharing of academic resources, running joint teaching programmes, running joint degree programmes with national and international universities or institutions;
 - (g) to promote interdisciplinary teaching programmes on the campus by coordinating amongst teachers and also to make policy for sharing of academic and research and development infrastructure;
 - (h) to promote the choice based credit system in the university departments, the affiliated colleges and recognized institutions;
 - (i) to work out and initiate use of technology in delivery of education;
 - (j) to promote the face-to-face and e-learning process in classroom teaching, use of mini research and maxi research projects as an integral part of post-graduate learning;
 - (k) to initiate new approaches and methodology for assessing learning by students as a continuous online process;
 - (l) to undertake any other task as may be assigned by the university

authorities to carry out the objectives of the Board of University Departments and Interdisciplinary Studies and of the university.

Board of Post-Graduate Education in Colleges.

35. (1) There shall be a Board of Post-Graduate Education in Colleges with broad objectives of initiating and strengthening of quality post-graduate programmes in various disciplines of learning in colleges.
- (2) The Board of Post-Graduate Education in Colleges shall meet not less than four times in a year, two of which shall necessarily be in the month of September or October and December or January, each year.
- (3) The Board of Post-Graduate Education in Colleges shall consist of the following members, namely:-
- (a) the Provost, Chairperson;
 - (b) the Deans of faculties;
 - (c) three experts from other universities, nominated by the Vice-Chancellor, each having minimum experience of five years as a professor in each of the disciplines of science, technology, humanities, commerce and management;
 - (d) three heads of departments in colleges, nominated by the Vice-Chancellor with minimum experience of five years as a recognized post-graduate teacher, from post-graduate Centres in colleges, in each of the disciplines of science, technology, humanities, commerce and management, preferably from different districts;
 - (e) Directors of all sub-campus.
- Deputy Registrar of the administrative section concerned, shall act as the Secretary of the Board.
- (4) The Board of Post-Graduate Education in Colleges shall have the following powers and duties, namely:-
- (a) to recommend creation of a new post-graduate centre in a particular discipline or a new course in the existing post-graduate centre in an affiliated college;
 - (b) to create synergy for the growth of the post-graduate centers at district level through district sub-campus;
 - (c) to initiate and encourage the use of technology in a blended form of education in the post-graduate centers;
 - (d) to propagate and keep track of quality enhancement in post-graduate centers by initiating teachers capacity enhancement activities;
 - (e) to initiate research and development activities in post-graduate centers;
 - (f) to undertake any other task as may be assigned by the university authorities so as to carry out objectives of the Board of Post-Graduate Education in Colleges.

Board of Lifelong Learning, Value Education and Life Skills Development.

36. (1) There shall be a Board for Lifelong Learning, Value Education and Life Skills Development to create skilled and learned human power through its various degree level programmes and skills development programmes.
- (2) The Board for Lifelong Learning, Value Education and Life Skills

Development shall meet at least twice a year.

- (3) The Board for Lifelong Learning, Value Education and Life Skills Development shall consist of the following members, namely:-
- (i) the Vice-Chancellor - Chairperson;
 - (ii) the Provost;
 - (iii) the Deans of faculties;
 - (iv) three eminent experts, nominated by the Vice-Chancellor, working in the domain of lifelong learning skills, value education and in field of longevity;
 - (v) two teachers from university departments, nominated by the Vice-Chancellor, who are actively engaged in innovation, research and development;
 - (vi) two teachers from the colleges, nominated by the Vice-Chancellor, who are actively engaged in innovation, research and development;
 - (vii) the Director, Centre of Lifelong Learning, Value Education and Life Skills Development - Member-Secretary.
- (4) The Board of Lifelong Learning, Value Education and Life Skills Development shall have the following powers and duties, namely:-
- (a) to create synergy at policy and operative level mechanism for coexistence and cooperation between various teaching, research and development institutions and various regional and national bodies and governmental agencies in the domain of lifelong learning, value education and life skills for senior citizens;
 - (b) to supervise and monitor the activities of an independent Centre for Lifelong Learning, Value Education and Life Skills Development that shall be set up by the university to carry out the objectives of the Board;
 - (c) to look into budgets and financial needs of the Centre for Lifelong Learning, Value Education and Life Skills Development;
 - (d) to prepare an annual programme of activities of the Centre for Lifelong Learning, Value Education and Life Skills Development and to review the same periodically;
 - (e) to submit an annual report to the Management Council;
 - (f) to undertake any other task that may be assigned by the university authorities to carry out the objectives of the Board of Lifelong Learning, Value Education and Life Skills Development.
- (5)(a) There shall be a Centre of Lifelong Learning, Value Education and Life Skills Development to carry out the objectives of the Board of Lifelong Learning, Value Education and Life Skills Development. Centre of Lifelong Learning, Value Education and Life Skills Development shall be headed by a Director, who shall be a full time salaried officer of the university and shall be appointed by the Vice-Chancellor on the recommendations of the selection committee constituted for the purpose.
- (b) All academic positions in the Centre of Lifelong Learning, Value Education and Life Skills Development shall be treated as teaching positions for all purposes.

- (c) The Centre for Lifelong Learning, Value Education and Life Skills Development shall have the following powers and duties, namely:-
- (i) to evolve a mechanism for implementation of policies and recommendations of the Board of Lifelong Learning, Value Education and Life Skills Development;
 - (ii) to carry out research in the field of lifelong learning, value education, life skills for adults and senior citizens, and for longevity;
 - (iii) to organize lower level skills development programmes for training female and male nurses to handle elderly patients or terminally ill patients;
 - (iv) to run the teaching programmes which include certificate and diploma programmes for graduate students and advanced diploma programmes at post-graduate level in value education and longevity;
 - (v) to run post-graduate teaching programmes exclusively in the domain of value education, life skills for adults and senior citizens;
 - (vi) to organize awareness activities for adults and senior citizens on life skills for coping with old age, information on social organization and Government schemes for elderly persons and briefing on home for the aged;
 - (vii) to undertake any other task as may be assigned by the university authorities so as to carry out objectives of the Board for Lifelong Learning, Value Education and Life Skills Development.

Board of Examinations and Evaluation.

37. (1) The Board of Examinations and Evaluation shall be the authority to deal with all matters relating to examinations and evaluation. The Board of Examinations and Evaluation shall also oversee the conduct of examinations in the autonomous colleges, institutions, university departments and university institutions.
- (2) The Board of Examinations and Evaluation shall meet at least once in each academic term.
- (3) The Board of Examinations and Evaluation shall consist of the following members, namely:-
- (a) the Vice-Chancellor - Chairman;
 - (b) the Provost;
 - (c) the Deans of Faculties;
 - (d) one principal other than Dean, nominated by the Management Council;
 - (e) an expert in computer science or information technology, nominated by the Vice-Chancellor;
 - (f) an expert in evaluation, nominated by the Vice-Chancellor;
 - (g) Director, Board of Examinations and Evaluation - Member- Secretary.
- (4) The Board of Examinations and Evaluation shall have the following powers and duties, namely:-
- (a) to devise policy, mechanisms and operational strategies to do the tasks relating to assessment of performance of students efficiently and in a

- time bound manner;
- (b) to ensure proper organization of examinations and tests of the university, including moderation, tabulation, evaluation and timely declaration of results;
 - (c) to prepare the financial estimates relating to examinations and evaluation for incorporation in the annual financial estimates (budget) of the university and shall submit the same to the Finance and Accounts Committee;
 - (d) to arrange for strict vigilance during the conduct of examinations so as to avoid use of unfair means by the students, teachers, invigilators, supervisors, etc.;
 - (e) to establish procedures and devise operative mechanism for credit assessment in the modular structure by the teachers and use computer technology for the entire process of assessment and evaluation including creating and effectively using a repository of question banks;
 - (f) to ensure that the assessment of answer books for award of degrees, diplomas or certificates shall be done centrally through central assessment system by following system of masking and de-masking of answer books or any other alternative system for ensuring the objective of secrecy;
 - (g) to undertake examination and evaluation reforms in order to make examination and evaluation system more efficient;
 - (h) to appoint paper-setters, examiners and moderators from amongst the persons included in the panels prepared by the respective Boards of Studies and, where necessary, having regard to the recommendations made by the committee under clause (a) of sub-section (8), remove them or debar them;
 - (i) to approve a detailed programme of examinations and evaluation as prepared by the Director, Board of Examinations and Evaluation;
 - (j) to consider the reports of review of results of university examinations forwarded by the Director, Board of Examinations and Evaluation;
 - (k) to hear and decide the complaints received pertaining to any matter arising out of conduct of examinations and evaluation.
 - (l) to exercise such other powers in relation to examinations and evaluation as may be assigned to it by or under this Act.
- (5) In case of any emergency requiring immediate action to be taken, the Chairperson of the Board of Examinations and Evaluation or any other officer or person authorized by him in that behalf, shall take such action as he thinks fit and necessary, and shall report the action taken by him at the next meeting of the Board.
- (6) (a) In order to appoint paper-setters, examiners and moderators, the Board of Examinations and Evaluation shall constitute committees for every subject consisting of, -
- (i) the Provost - Chairperson;
 - (ii) the Dean of the faculty concerned;
 - (iii) the Chairperson of the Board of Studies concerned;

(iv) two members of the Board of Studies, nominated by it from amongst its members of whom at least one shall be a post-graduate teacher.

The Director of Board of Examinations and Evaluation shall act as a Secretary of such committee.

(b) The committees shall prepare lists of persons for various examinations and tests, from amongst persons, included in the panels to be prepared by the Board of Studies and shall submit them to the Board of Examinations and Evaluation, which shall then appoint paper-setters, examiners and moderators, and where necessary referees.

(c) No member of the Board of Examinations and Evaluation or the committees constituted under this section shall be appointed as a paper-setter, examiner, moderator or referee:

Provided that, the Provost shall have power to appoint a member of the Board of Examinations and Evaluation or the committees constituted under this section, as a paper-setter, examiner, moderator or referee where no teacher who is not a member of the Board of Examinations and Evaluation or the committees is available;

(7) It shall be obligatory on every teacher and on the non-teaching employee of the university, affiliated, conducted colleges, community colleges empowered autonomous colleges or cluster of institutions, empowered skills education colleges or recognized institutions to render necessary assistance and service in respect of examinations of the university and evaluation of students. If any teacher or non-teaching employee fails to comply with the order of the university or college or institution, in this respect, it shall be treated as misconduct and the employee shall be liable for disciplinary action. In case of failure on the part of the teacher or non-teaching employee of any affiliated college or recognized institution, to comply with the order of the university in this respect, the Vice-Chancellor shall have power to take an appropriate action against them, which may include imposing penalties and/or suspension of approval to the appointment of a teacher, as may be prescribed by the Statutes.

(8)(a) In order to investigate and take disciplinary action for failure to comply with the order of the university for rendering assistance or service in respect of examinations of the university or evaluation of students or formal-practices and lapses on the part of candidates, paper-setters, examiners, moderators, referees, teachers or any other persons connected with the conduct of examinations including the pre-examination stage and the post-examination stage or at any stage whatsoever, the Board of Examinations and Evaluation shall constitute a committee of not more than five persons of whom one shall be the Chairperson;

(b) Such a committee shall submit its report and recommendations to the Vice-Chancellor, who shall propose the Director, Board of Examinations and Evaluation, the disciplinary action to be taken against the person or persons involved in the malpractices, directly or indirectly, and the Director, Board of Examinations and Evaluation shall proceed to implement the decision of the Vice-Chancellor.

38. (1) There shall be a Board of Information Technology to address the issues relating to use of right kind of technology, software, hardware and connectivity to deploy technology in all domains of activities and associated tasks of the university and relating to requirement of the funds for that purpose.
- (2) The Board of Information Technology shall consist of the following members, namely:-
- (a) the Provost - Chairperson;
 - (b) the Deans of faculties;
 - (c) the Director of Board of Examinations and Evaluation;
 - (d) the Finance and Accounts Officer;
 - (e) two experts in the field of information and communication technology nominated by the Vice-Chancellor;
 - (f) the Registrar.
- (3) The Dean of Faculty of Science and Technology shall act as a Member-Secretary.
- (4) The Board of Information Technology shall have the following powers and duties, namely: -
- (a) to plan information technology services through information technology infrastructure;
 - (b) to decide the annual budget of the university for creating technology related infrastructure;
 - (c) to devise strategy for creation of virtual classrooms and laboratory infrastructure;
 - (d) to lay down the policy for networking in the various campuses of the university;
 - (e) to lay down the policy for generating financial resources in the field of higher education, research and development and allied projects or programmes;
 - (f) to advise and assist the university to create inter-university and intra-university networks for connecting university administration, departments and colleges;
 - (g) to assist the university to be part of the national knowledge grid;
 - (h) to assist the university network, for connecting it with other universities in the State;
 - (i) to ensure quality and efficiency in the various levels of information technology infrastructure and services within parameters defined by the university;
 - (j) to undertake any other task as may be assigned by the university authorities so as to carry out objectives of the Board for Information Technology.

39. (1) There shall be a Board of Integration of Technology in Academics, Finances and Administration to create an umbrella structure to professionally manage the selection, deployment and use of application software and technology and to project the funds required for that

- purpose.
- (2) The Board of Integration of Technology in Academics, Finances and Administration shall meet at least three times a year.
 - (3) The Board of Integration of Technology in Academics, Finances and Administration shall consist of the following members, namely:-
 - (a) the Provost - Chairperson;
 - (b) the Deans of faculties;
 - (c) the Finance and Accounts Officer;
 - (d) the Director of Board of Examinations and Evaluation;
 - (e) the Registrar;
 - (f) one professor from university departments having knowledge and expertise in the domain of software and hardware, nominated by the Vice-Chancellor;
 - (g) two experts in the field of information and communication technology, nominated by the Vice-Chancellor, one of whom shall be an expert in software and the other in the field of hardware;
 - (4) The Dean of the Faculty of Science and Technology shall act as a Member-Secretary.
 - (5) The powers and duties of the Board of Integration of Technology in Academics, Finances and Administration shall have the following powers and duties, namely:-
 - (a) to devise a policy and strategy plan for use of technology in all aspects connected with academics, evaluation, finances and administration;
 - (b) to monitor use of technology in administration, finances and evaluation activities of the university;
 - (c) to devise strategy and technology, financial requirement and operative level mechanism for use of information-flow-line for integrating face-to-face and e-learning objects and also for creation of virtual lecture and laboratory infrastructure;
 - (d) to work out an approach and operating plan for creation of a repository of data on students, teachers, technical and other staff and other relevant information;
 - (e) to advise on purchase of software, hardware and networking for university departments and university system as a whole;
 - (f) to assist and advise the use of technology in blended learning, making of e-learning objects, and teachers training in use of multi-media;
 - (g) to work out appropriate policy and procedure for creation of a Data Repository Cell for creation, up-gradation and maintenance of data on students, teachers as well as other staff members in the institutions and give a Unique Identification Number;
 - (h) to undertake any other task as may be assigned by the university authorities so as to carry out objectives of the Board of Integration of Technology in Academics, Finances and Administration.

national and international universities and institutions.

- (2) The Board shall meet at least three times in a year.
- (3) The Board of National and International Linkages shall consist of the following members, namely: -
 - (a) the Vice-Chancellor - Chairperson;
 - (b) the Provost;
 - (c) the Deans of faculties;
 - (d) one member of the Management Council, nominated by the Vice-Chancellor;
 - (e) one senior professor, nominated by the Vice-Chancellor from the university post-graduate Department;
 - (f) one principal, nominated by the Vice-Chancellor from amongst autonomous or empowered autonomous colleges or empowered autonomous institutions;
 - (g) the Director, National and International Linkages -Member-Secretary.
- (4) The Board of National and International Linkages shall have the following powers and duties, namely:-
 - (a) to work on long term policy and strategy for promotion of inter-linkages with premier national and international universities and institutions;
 - (b) to evolve a process to collaborate with national and international agencies, universities and institutions for sharing of academic resources, running joint research and development and teaching programmes, running joint degree programmes with national and international universities or institutions;
 - (c) to evolve mechanism for visits of teachers or research and development scientists or experts from industry and other entities, to the university departments and *vice-versa*, and also to work out the details on logistic support for such visitors;
 - (d) to evolve mechanism for visits of teachers and students from university departments to national and international universities or institutions and *vice-versa*, and also to work out details on budgetary provisions and logistic support for such visits;
 - (e) to evolve a mechanism to assist foreign students and migrant Indian students, their admissions and completion of other statutory formalities;
 - (f) to organize cultural and other activities such as visits of foreign students and migrant Indian students to other parts of India;
 - (g) to make arrangements for other logistic infrastructure, if any, created by the university for foreign students and migrant Indian students;
 - (h) to work out budgetary provision for activities of the Board and for providing various services to foreign students and migrant Indian students;
 - (i) to undertake any other task as may be assigned by the university authorities so as to carry out objectives of the Board of National and International Linkages.

41. (1) There shall be a Board of Innovation, Incubation and Enterprise for creation and cultivation of an enabling environment to propagate the concept of innovation and to convert the innovative ideas into working models through a process of incubation which shall finally lead to the creation of enterprise.
- (2) The university shall establish an independent Centre for Innovation, Incubation and Enterprise to carry out the objectives of the Board for Innovation, Incubation and Enterprise. The Centre shall exercise the powers and perform the duties as may be assigned by the Board, from time to time.
- (3) The Board for Innovation, Incubation and Enterprise shall consist of the following members, namely:-
- (a) the Vice-Chancellor - Chairperson;
 - (b) the Provost;
 - (c) the Deans of faculties;
 - (d) five prominent industrialists, nominated by Vice-Chancellor from manufacturing, information and communication technology, bio-sciences and technology, agro industries and service industries;
 - (e) two teachers from university departments or university institutions, nominated by the Vice-Chancellor who are active in innovation, research and development;
 - (f) two teachers, nominated by the Vice-Chancellor from colleges who are active in innovation, research and development;
 - (g) the representative of Department of Science and Technology, not below the rank of the Deputy Secretary;
 - (h) The Director, Centre for Innovation, Incubation and Enterprise - Member-Secretary.
- (4) The Board of Innovation, Incubation and Enterprise shall have the following powers and duties, namely:-
- (a) to create synergy at policy and operative level mechanism for coexistence and cooperation between various research and development activities in university departments, colleges and various industries in the State and in other States;
 - (b) to create synergy through operative policy mechanism and support system for incubation of good ideas such as product, process, service and innovation, into a scalable mode so as to establish small, medium and large industries;
 - (c) to establish a system to support protection of intellectual property rights at national and global level;
 - (d) to establish a system so as to guide and help young entrepreneurs in operational, legal, business model creation and financial support;
 - (e) to project and plan the activities to be carried out by the Centre for Innovation, Incubation and Enterprise;
 - (f) to prepare annual programmes of activities of the Centre for Innovation, Incubation and Enterprise and review the same periodically;
 - (g) to prepare the annual budget of the Centre for Innovation, Incubation

and Enterprise;

- (h) to oversee and monitor the activities of the Centre for Innovation, Incubation and Enterprise;
- (i) to submit an annual report of working of Centre for Innovation, Incubation and Enterprise to the Management Council;
- (j) to undertake any other task as may be assigned by the university authorities to carry out the objectives of the Board for Innovation, Incubation and Enterprise.

Board of Students' Development.

42. (1) There shall be a Board of Students' Development to plan and oversee the various cultural and welfare activities of the students in colleges, institutions and university departments. The activities of the Board of Student's Development shall be carried out by the Director of Students' Development.
- (2) The Board of Students' Development shall consist of the following members, namely:-
- (a) the Provost - Chairperson;
 - (b) one professional, nominated by the Vice-Chancellor, in the field of Performing Arts;
 - (c) one professional, nominated by the Vice-Chancellor in the field of Art and Fine Arts;
 - (d) one teacher, nominated by the Vice-Chancellor involved in cultural or welfare activities;
 - (e) the Director, Board of Students' Development, Member-Secretary.
- (3) The Board of Student's Development shall have the powers and duties, namely:-
- (a) to take necessary steps for promotion of culture and students welfare activities in colleges and university departments;
 - (b) to establish links with regional and national bodies in the various cultural activities and to promote various activities jointly with them;
 - (c) to take up activities in colleges and university departments to promote interest and skills for appreciation in the field of performing arts, pure art and painting skills;
 - (d) to hold university level competitions, skills development workshops, interactive activities in order to bring the society closer to the colleges, institutions and university;
 - (e) to establish rapport with groups, societies and other professional bodies so as to involve them in the activities of Board of Students' Development;
 - (f) to take necessary measures to ensure participation of well trained teams in various regional, national and international level competitions, and cultural, recreational and other activities;
 - (g) to undertake any other task as may be assigned by the university authorities so as to carry out objectives of the Board of Students' Development and Students' Welfare Cell.
- (4) There shall be a Students' Welfare Cell in the university and in the

colleges and recognized institutions to devise an operative level mechanism to assist students in issues and difficulties in various facets related to their day to day life and other aspects connected with their academic work. The Students' Welfare Cell in the university shall consist of five members and shall be headed by the Director of the Board of Students' Development. Other four members shall be nominated by the Vice-Chancellor from amongst the teachers and officers not below the rank of Assistant Registrar and equivalent thereto. The Students' Welfare Cell in the colleges and recognized institutions shall be headed by the senior most teacher in the college or recognized institution. Other members of the Students' Welfare Cell in the colleges and recognized institutions shall be nominated by the Principal or Director of the college or recognized institution, as the case may be.

Board of Sports and Physical Education.

43. (1) There shall be a Board of Sports and Physical Education in the university to promote the culture of sports and look after sports related activities. The activities of the Board shall be carried out by the Director of Sports and Physical Education.
- (2) The Board of Sports and Physical Education shall consist of the following members, namely:-
- (a) the Provost - Chairperson;
 - (b) three professionals, nominated by the Vice-Chancellor with established credibility in different fields of sports;
 - (c) one teacher from the university department of Physical Education, nominated by the Vice-Chancellor;
 - (d) two sports teachers, from affiliated, conducted or autonomous colleges, nominated by the Vice-Chancellor;
 - (e) the Director, Sports and Physical Education - Member-Secretary.
- (3) The Board of Sports and Physical Education shall have the following powers and duties, namely:-
- (a) to take necessary steps for promotion of sports culture and activities in the field of sports in colleges and university departments;
 - (b) to establish links with regional and national bodies in the various sports and to promote various activities jointly with them;
 - (c) to establish rapport with groups, societies and other professional bodies so as to involve them in the activities of Board of Sports, and Physical Education;
 - (d) to take up activities in colleges, recognized institutions and university departments to promote interest and also skills in various sports as per the policy of the university and also national policies in the field of sports;
 - (e) to hold university level competitions, sports skills development camps, interactive activities and also training workshops in various sports in order to bring the society closer to the colleges, institutions and university;
 - (f) to encourage participation in regional, national and international level activities and competitions through well trained teams in various

sports;

(g) to undertake any other task as may be assigned by the university authorities so as to carry out the objectives of the Board of Sports and Physical Education.

Board of Research

44. (1) There shall be a Board of Research to cultivate, promote and strengthen research activities and also to plan, co-ordinate, supervise and to raise finances for research activities in university departments, colleges and recognized institutions.
- (2) The Board of Research shall consist of the following members, namely:-
- (a) the Vice-Chancellor - Chairperson;
 - (b) the Provost;
 - (c) the Deans of faculties;
 - (d) four eminent researchers, nominated by the Vice-Chancellor, with proven experience; one each from pure and applied sciences and technology, humanities, commerce, accounts and finances, and interdisciplinary studies;
 - (e) two teachers, nominated by the Vice-Chancellor from university departments;
 - (f) two teachers, nominated by the Vice-Chancellor, from colleges or recognized institutions having a strong base in research culture;
 - (g) the Director, Centre for Innovation, Incubation and Enterprise - Member-Secretary.
- (3) The Board of Research shall meet at least three times a year.
- (4) The Board of Research shall have the following functions and duties, namely:-
- (a) to work on long term policy and strategy for promotion of research culture in the university, colleges and recognized institutions;
 - (b) to advise and encourage the teachers to take up research in emerging areas at individual and group level;
 - (c) to promote inter-disciplinary research programmes by coordinating amongst teachers and also to make and articulate policies for sharing of research and development infrastructure;
 - (d) to encourage the university departments, colleges and recognized institutions to hold research seminars in all disciplines for the research students;
 - (e) to publish research journals, monographs for different disciplines;
 - (f) to decide upon policy for maintenance of standards of research for Ph.D. degrees, in consonance with the norms of the University Grants Commission and other regulatory bodies;
 - (g) to work on creation of research and development data base for work done in university departments, colleges and recognized institutions in a stand-alone mode or as group activity or in collaboration with industries and other research and development laboratories;
 - (h) to work out and initiate research in delivery of education, pedagogy of face-to-face and e-learning, impact of e-learning and virtual classrooms on learning and understanding of students, open distance

learning and conventional education;

- (i) to make efforts and also assist the teachers, university departments, colleges and recognized institutions to raise the funds for research activities;
- (j) to work out the budget for research activities of the university;
- (k) to mobilize money from the industry for enhancing research activities;
- (l) to undertake any other task as may be assigned by the university authorities so as to carry out objectives of the Board of Research.

Powers, functions and duties of Authorities.	45.	The constitution, powers, functions and duties of the authorities of the university, not laid down under any of the provisions of this Act shall be as prescribed by the Statutes.
Term of office of members of authority.	46.	<p>(1) The term of every authority constituted under this Act shall commence on the 1st September and shall be of five years from the said date and the term of the members of every authority shall expire on the expiry of the said period of five years, irrespective of the date on which a member has entered upon his office.</p> <p>(2) The process of election and nomination shall be commenced three months before expiry of the term of the authority and shall be completed not later than 31st December in that year.</p> <p>(3) The process of co-option shall be completed within three months of the commencement of the term of the authority.</p>
Cessation of Membership.	47.	Notwithstanding anything contained in this Act or the Statutes made thereunder, where a person, elected, nominated, appointed or co-opted, as the case may be, as an officer of university or a member of any of the authority or bodies of the university by virtue of his being eligible to be so elected, nominated, appointed or co-opted as such an officer or a member under any of the categories of officers or members specified by or under the relevant provisions of this Act in relation to such office, authority or body, he shall cease to be such an officer of the university or a member of such an authority or a body as soon as he ceases to belong to such category and shall be deemed to have vacated his office as such officer or member.
Disqualification for membership of authority.	48.	<p>A person shall be disqualified for being a member of any of the authorities, bodies and committee of university, if he-</p> <ul style="list-style-type: none">(a) is of unsound mind and stands so declared by a competent court; or(b) is an undischarged insolvent; or(c) has been convicted of any offence involving moral turpitude; or(d) is conducting or engaging himself in private tuitions or private coaching classes; or(e) has been punished for indulging in or promoting unfair practices in the conduct of any examination and evaluation, in any form, anywhere; or(f) has willfully omitted or refused to carry out the provisions of this Act, Statutes or Ordinances, or has acted in any manner detrimental to the interests of the university; or

- (g) has been punished in any form, by the competent authority for committing a misconduct; or
- (h) discloses or causes to disclose to the public, in any manner whatsoever, any confidential matter, in relation to the examination and evaluation, the knowledge of which he has come to be in possession, due to his official position.

Ineligibility for second consecutive term.

49. No person other than *ex-officio* member of any of the authorities mentioned in Section 25 of this Act shall be eligible for a second consecutive term whether, as an elected, nominated, appointed or co-opted member, as the case may be:

Provided that, any person who was a member of any of the authorities of the university, whether as an elected, appointed, nominated or co-opted member, as the case may be, on the date of commencement of the Maharashtra Universities (Temporary Postponement of Elections of Members of University Authorities and Other Bodies) Act, 2015 shall not be eligible for being such a member of that respective authority when these authorities are constituted for the first time after the commencement of this Act.

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Conclusiveness of decision of authority.

50. Save as otherwise provided by or under the provisions of this Act, each authority of the university while acting and exercising its powers and discharging functions or duties assigned to it by or under the provisions of this Act, shall have the exclusive jurisdiction to deal with and decide the matters assigned to it and discharging functions or duties assigned to it by or under the provisions of this Act.

Election to be by proportional representation.

51. (1) Every election to any authority or body of the university under this Act shall be held by ballot in accordance with the system of proportional representation by means of the single transferable vote and as prescribed by the Statutes.
(2) The other details relating to elections not specified in the Act shall be as prescribed by the Statutes.

Resignation of membership.

52. (1) A member, other than an *ex-officio* member, may resign by writing under his signature. A nominee of the Chancellor may resign by addressing to the Chancellor, and any other member may resign by addressing to the Vice-Chancellor. The person shall cease to be a member upon his resignation being accepted by the Chancellor or the Vice-Chancellor, as the case may be, or upon expiry of thirty days from the date of resignation, whichever is earlier.
(2) If a person nominated, elected, appointed or co-opted to any authority or body remains absent without prior permission of the authority or body for three consecutive meetings, he shall be deemed to have vacated his membership and he shall cease to be a member from the date of the third such meeting in which he has remained absent.

Meeting of authorities.

53. (1) Save as otherwise provided by this Act, all matters with regard to the conduct of meetings of the authorities, bodies or committees, if any,

constituted by the university, shall be such as may be prescribed by the Statutes.

- (2) A meeting of an authority or body shall be convened on the date determined by the Chairperson by a notice issued by its Secretary.
- (3) Except as otherwise provided, the quorum for a meeting shall ordinarily be one-third of the number of the sitting members. If there is no quorum, the meeting shall be adjourned by the Chairperson to a specific time on the same day, or on a later date and no quorum shall be necessary for such adjourned meeting. No quorum shall be necessary on the following day of the continued meeting.
- (4) Where no provision is made by or under the Statutes for a President or Chairperson to preside over a meeting of any authority or body of the university or when the President or the Chairperson so provided for is absent and no provision is made for any other person to preside, the members present shall elect a person from amongst themselves to preside at the meeting.
- (5) Save as otherwise provided, all items, questions, matters or proposals on the agenda shall be decided by a majority of votes of members present. The Chairperson shall have a vote. In case of equality of votes, the Chairperson shall have the casting vote. The secretary, if not a member, shall have the right to participate in the deliberations but shall not have the right to vote.

Casual vacancy and Standing Committee to fill vacancies.

54. (1) When any vacancy occurs in the office of a member, other than an *ex-officio* or nominated or appointed or co-opted member of any authority or other body of the university before the expiry of his normal term, the vacancy shall be filled, as soon as possible, by nomination of a person by the Standing Committee constituted under sub-section (2). The person so nominated shall be a person who is otherwise eligible to be elected on the said authority or body from the same category. The person so nominated shall hold office only so long as the member in whose place he has been nominated shall have held it, if the vacancy had not occurred.
- (2) The constitution of the Standing Committee for filling in the vacancies mentioned in sub-section (1) shall be as follows, namely: -
- (a) the Provost - Chairperson;
 - (b) the Deans of faculties;
 - (c) one member nominated by the Senate from amongst its members;
 - (d) one member nominated by the Management Council from amongst its members;
 - (e) one member nominated by the Academic Council from amongst its members;
 - (f) the Registrar - Member-Secretary.

The term of office of the Standing Committee shall be co-terminus with the term of the Senate.

CHAPTER V

THE STATUTES, ORDINANCES AND REGULATIONS

Statutes and their subject matters.

55. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-
- (1) conferment of honorary degrees and academic distinctions;
 - (2) establishment and maintenance of the university departments, institutions, conducted colleges, institutions of higher learning, research or specialized studies and hostels;
 - (3) constitution, powers, duties and functions of authorities of the university not laid down under any of the provisions of this Act;
 - (4) abolition of university departments or institutions and conducted colleges;
 - (5) rules of procedure for conduct of business at the meetings of authorities of the university;
 - (6) appropriation of funds of the university for furtherance of the objects of the university;
 - (7) norms for grant of autonomy to university departments or institutions, affiliated colleges and recognized institutions, subject to the approval of the State Government;
 - (8) acceptance and management of trusts, bequests, donations, endowments and grants from individuals or organizations;
 - (9) disciplinary action against defaulting teachers, officers and other employees of the university, affiliated colleges and recognized institutions other than the colleges or institutions managed and maintained by the State Government or Central Government or local authorities;
 - (10) conditions of residence, conduct and discipline of the students of the university, colleges and recognized institutions, and the action to be taken against them for breach of discipline or misconduct, including the following:-
 - (a) use of unfair means in an examination, or abetment thereof;
 - (b) refusal to appear or give evidence in any authorized inquiry by an officer in charge of an evaluation and examination, or by any officer or authority of the university; or
 - (c) disorderly or otherwise objectionable conduct, whether within or outside the university;
 - (11) mechanism and procedure for redressal of grievances of the students;
 - (12) functions and duties of Students' Council in university, colleges and recognized institutions;
 - (13) procedure for conduct of elections to various authorities and bodies;
 - (14) conditions and procedure for grant of approval to the appointments of the teachers in the colleges and recognized institutions and suspension or withdrawal thereof;
 - (15) inspection of colleges, recognized institutions, halls and hostels;
 - (16) taking over or transferring, in public interest, of the management of a college or institution by the university and the conditions for such taking

over or transferring, subject to the approval of the State Government;
(17) any matter which is to be prescribed by Statutes or which is necessary to give effect to the provisions of this Act.

Statutes how made.

56. (1) The Statute may be made, amended or repealed by the Management Council in the manner hereinafter provided.
- (2) The Board of Deans shall prepare and propose draft Statutes concerning the matters referred to in section 55.
- (3) The Management Council, if it thinks necessary, may obtain the opinion of any officer, authority or body of the university with regard to any draft Statute which is before it for consideration.
- (4) Every Statute passed by the Management Council shall be submitted to the Chancellor who may give or withhold his assent thereto or send it back to the Management Council for reconsideration. The Chancellor may send the draft Statutes to the State Government for its views, if there are implications, financial or otherwise, on the part of the State Government in the implementation of such Statutes.
- (5) No Statute passed by the Management Council shall be valid or shall come into force until assented to by the Chancellor.
- (6) Notwithstanding anything contained in the foregoing sub-sections, the Chancellor, either *suo-motu* or on the advice of the State Government, may, direct the university to make provisions in the Statutes in respect of any matter specified by him and if the Management Council fails to implement such a direction within sixty days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the Management Council for its inability to comply with such direction, make or amend the Statutes in that respect, suitably.

Ordinances and their subject matters.

57. Subject to the provisions of this Act, the Ordinances may provide for all or any of the following matters, namely:-
- (1) conditions under which students shall be admitted to courses of study for degrees, diplomas, certificates and other academic distinctions;
- (2) fees, other fees and charges;
- (3) conditions governing the appointment and duties of examiners;
- (4) conduct of examinations, other tests and evaluation, and the manner in which the candidates may be assessed or examined by the examiners;
- (5) recognition of teachers of the university and the conditions subject to which persons may be recognized as qualified to give instruction in the university departments, colleges and recognized institutions;
- (6) norms to be observed and enforced by colleges and recognized institutions regarding transfer of students;
- (7) any academic matter which, by or under this Act or the Statutes is to be prescribed by the Ordinance or which is necessary to give effect to the provisions of this Act.

Ordinances and their making.

58. (1) The Academic Council may make, amend or repeal Ordinances in the manner hereinafter provided.

- (2) The Board of Deans shall prepare and propose draft Ordinances concerning the matters referred to in section 57.
- (3) All draft Ordinances pertaining to matters related to examinations and evaluation shall be placed before the Academic Council through the Board of Examinations and Evaluation for its consideration.
- (4) All Ordinances made by the Academic Council shall have effect from the date of the meeting or from such date as it may direct, but every Ordinance so made shall be submitted to the Chancellor within two weeks from the date of the meeting. The Chancellor shall have the power to direct the Academic Council, within four weeks of the receipt of the Ordinance, to suspend its operation, and he shall, as soon as possible, inform the Academic Council of his objection to it. He may, after receiving the comments of the Academic Council, either withdraw the order suspending the Ordinance or disallow the Ordinance, and his decision shall be final.

Regulations.

- 59. (1) Subject to the provisions prescribed by or under this Act, Management Council may make Regulations consistent with this Act, Statutes and Ordinances, for-
 - (a) institution of fellowship, travelling fellowship, scholarship, studentship, medals and prizes and for their award;
 - (b) selection committees and mode of appointment of the officers of the university;
 - (c) collaborations with other universities, institutions and organizations for mutually beneficial academic programmes;
 - (d) the conditions under which students shall be admitted to courses of study for degrees, diplomas, certificates and other academic distinctions;
 - (e) preservation of record of the university;
 - (f) providing for all or any of the matters which, by or under this Act, Statutes or Ordinances, are to be or may be provided by Regulations;
 - (g) all non- academic matters for which provision is, in the opinion of the Management Council, necessary for the purposes of this Act, Statutes or Ordinances.
- (2) Subject to the provisions prescribed by or under this Act, the Academic Council may make Regulations relating to academic matters, consistent with this Act, Statutes and Ordinances.
- (3) The Board of Deans shall draft and place for approval of the Management Council or the Academic Council, as the case may be, the Regulations, providing for the matters referred to in sub-sections (1) and (2) and for all or any of the matters which, by or under this Act, Statutes or Ordinances, are to be or may be provided by Regulations.

CHAPTER VI

MAHARASHTRA STATE COMMISSION FOR HIGHER EDUCATION AND DEVELOPMENT

Maharashtra State Commission for Higher Education and Development.

60. (1) The State Government may, by notification in the *Official Gazette*, establish the Maharashtra State Commission for Higher Education and Development.
- (2) The composition of the Maharashtra State Commission for Higher Education shall be as follows, namely:-
- | | | |
|------|--|------------------|
| (1) | Governor | Chairperson |
| (2) | Chief Minister | Vice-Chairperson |
| (3) | Minister for Higher and Technical Education | Member |
| (4) | Minister of Finance | Member |
| (5) | Minister of State for Higher and Technical Education | Member |
| (6) | Leader of opposition | Member |
| (7) | One member of the Maharashtra Legislative Assembly, nominated by the Speaker of the Member of Legislative Assembly | Member |
| (8) | One member of the Maharashtra Legislative Council, nominated by the Chairperson of the Member of Legislative Council | Member |
| (9) | Two eminent industrialists, one each nominated by Federation of Indian Chambers of Commerce and Industry, and the Confederation of Indian Industry, | Members |
| (10) | One eminent professional from the domain of finance or commerce or education or law and judiciary with experience of creation of education linkages with real life situations, nominated by Governor | Member |
| (11) | One scientist or technocrat or social leader for his eminence in techno-social development work, nominated by Governor | Member |
| (12) | One educationist with experience in reforms in nature, role and delivery of education, nominated by the Governor | Member |
| (13) | One Vice-Chancellor of the public and private Universities in the State, nominated by Governor | Member |
| (14) | Two Principals for their contributions in linking of education with social development, nominated by Governor | Members |

- (15) The Secretary, Higher and Technical Member
Education Department
 - (16) The Secretary, Medical Education Member
Department
 - (17) The Secretary, Planning Department Member
 - (18) The Secretary, Finance Department Member
 - (19) The Director of Technical Education Member
 - (20) The Director of Higher Education Member
 - (21) The Chief Executive Officer of the Member-Secretary
Maharashtra State Commission for Higher
Education and Development
- (3) Term of office of the nominated members of the Maharashtra State Commission for Higher Education and Development shall be of three years.
- (4) The Maharashtra State Commission for Higher Education and Development shall meet twice in a year.
- (5) The Maharashtra State Commission for Higher Education and Development shall be the authority of the State Government in-charge of, and responsible for the state higher education. The Commission shall be the planning, monitoring, co-coordinating and evaluating authority and shall act as a think-tank for Higher Education including technical, medical, management, professional education and emerging fields in the education such as Bio Sciences and Technology and those which would emerge on the horizon of knowledge in future. The Commission shall be an authority of the State Government that would create synergy between various stakeholders namely the State Government, public and private universities, private skills education providers and industries.
- (6) The functions and duties of the Maharashtra State Commission for Higher Education and Development shall be as follows, namely:-
- (a) to prepare guidelines for perspective plan of five years for each university for the location of colleges and institutions of higher learning in a manner ensuring equitable distribution of facilities for higher education, in consultation with the respective university;
 - (b) to advise the State Government on exploring new ways and means for raising of additional resources and allocation of funds for public and private universities, and for education information and communication technology network;
 - (c) to create a synergy at policy and operative level mechanism for coexistence and cooperation between different types of educational institutions in the domain of pure, technical and professional education at core and domain specific skills level in the State;
 - (d) to understand and keep track of developments that taking place at national and global level in delivery of education, use of technology in education, administration and governance of education and evolve an appropriate policy and strategy for the educational systems in Maharashtra to be in phase with these changes;
 - (e) to create synergy through operative policy for research culture in pure and applied domains in all subjects in various disciplines and across

different disciplines in educational institutions and also research culture needs and demands of industries;

- (f) to create a policy and strategy for sharing of academic and knowledge resources infrastructure amongst various educational institutions and State, Central and industry research and development laboratories;
- (g) to establish and maintain educational information communication network in tandem with the national grid and also enhance the geographical reach so as bring each and every educational institution into the educational information communication network and to keep track of technology changes and upgrade the network from time to time;
- (h) to establish linkages with National Knowledge Commission, the Ministry of Information and Communication Technology and Human Resources Development;
- (i) to create a repository of e-learning objects and virtual experiments and support material in digital format for teaching-learning processes in frontline environment;
- (j) to develop a policy and strategy for percolation of use of technology for administration, evaluation and governance of educational institutions and to promote establishment of an e-platform to carry out these tasks by use of information and communication technology;
- (k) to explore the scope for sharing research journals, research and technology reviews and other such material that enhances scope and quality of research by use of Information and Communication Technology through creation of network of various knowledge resource centers in educational and research and development institutions in the State and also at national level;
- (l) to prepare programmes in the various subjects in the sphere of higher education, keeping in view the overall priorities, perspectives and needs of the society and expectations from higher education;
- (m) to advise the State Government in respect of determining and maintaining uniformity of standards of education in the universities;
- (n) to advise on promoting co-operation and co-ordination of the various educational institutions among themselves and explore the scope for interaction between the universities on the one hand, and industry and other organizations on the other hand;
- (o) to suggest ways and means of raising additional resources for higher education from industry and other sources;
- (p) to advise on inter-university programmes for various activities undertaken by the universities;
- (q) to advise on programmes for greater co-operation and interaction and exchange of university teachers, college teachers and the teachers of university departments;
- (r) to initiate inter-university programme for various activities related to teaching, research and extension in the field of higher education;
- (s) to take into consideration various suggestions, advises and specific recommendations for making academic, administrative, governance and financial synergy more conducive for growth and sustenance of quality in colleges, educational institutions and universities and to devise

- mechanisms to bring them into practice;
- (t) to devise and implement approaches for enhancing of knowledge and use of technology in teaching-learning processes for teachers;
 - (u) to create platform for academicians with experience in education and research that would form a core for reforms and also operating mechanism in academic framework, course work, delivery methodologies, evaluation of students;
 - (v) to make recommendations regarding performance based appraisal system using key performance indicators for principals, heads of institutions and departments and academic performance indicators for teachers in the university and institutions of higher education;
 - (w) to recommend necessary steps to restructure institutions of higher learning whose performance is consistently poor in the areas of academic, governance and infrastructure;
 - (x) to interact with national and global assessment and accreditation agencies and to carry systemic total quality assessment and programme-wise assessment processes in colleges, educational institutions and universities;
 - (y) to create a data base of teachers, academic and industry experts, colleges, educational institutions and universities in the State;
 - (z) to create a data base of Indian students by making use of the unique identification number when they join a college at entry level;
 - (aa) to establish information collection and data creation cell for foreign students;
 - (bb) to keep information on annual financial estimates of the universities, their generation of finances through other streams, research and development, consultancy, training-cum-skills development programmes, special programmes for foreign students and any other similar activities and to devise various streams for generation of financial resources so as to strengthen their financial position;
 - (cc) to take steps and recommend to the State Government and to the universities the steps that may be taken to remove the regional imbalance, and to make higher education available to backward classes, rural and tribal communities, women and any such specified groups;
 - (dd) to review co-operation and interaction among all educational institutions in the State for sharing of academic and other support infrastructure and suggest ways and means to make it more efficient and effective;
 - (ee) to review the approach and methods adopted by the colleges and universities, both public and private, for integrating education with social development and to study the impact of such an approach on social development and suggest ways and means to make it more efficient and effective;
 - (ff) develop the vision plan with specific annual outcomes keeping in view the goals of academic excellence, administrative reforms and financial improvements.
- (7) There shall be a Secretariat of the Maharashtra State Commission for Higher Education and Development, which shall be responsible for

administration of the Commission and for implementation of the policies, plans and recommendations of the Commission in coordination with the State Government. There shall be five divisions in the Secretariat, namely, Planning and Coordination Division, Quality and Excellence Assurances Division, Open Education resources and Training of Teachers Division, Network and Support Services Division and Finance and Resource Generation Division.

- (8) The Secretariat shall consist of the Chief Executive Officer, other officers, academic and non-academic staff, as may be required.
- (9) The emoluments, terms and conditions of service of the Chief Executive Officer and staff of the Secretariat shall be such as may be determined by the State Government, from time to time.
- (10) The Chief Executive Officer shall be appointed by the State Government who shall not be below the rank of the Director of Education.
- (11) The Chief Executive Officer shall be a whole time salaried officer and shall be the head of the Secretariat and all five divisions of Maharashtra State Commission for Higher Education and Development. He shall work directly under the superintendence, direction and control of the Principal Secretary, Higher and Technical Department of the State Government.
 - (a) The Chief Executive Officer shall,-
 - (i) be the principal executive officer of the Secretariat of the Maharashtra State Commission for Higher Education and Development responsible for carrying out all functions and duties of the Maharashtra State Commission for Higher Education and Development;
 - (ii) lead, oversee and monitor the administration and entire activities of the Secretariat and the Maharashtra State Commission for Higher Education and Development;
 - (iii) be responsible for execution of the policies, plans and recommendations of the Maharashtra State Commission for Higher Education and Development;
 - (iv) establish technology driven operational mechanism for execution of policies, plans and recommendations of the Maharashtra State Commission for Higher Education and Development;
 - (v) establish linkages and co-ordination with Vice-Chancellors of public and private universities, principals and management of all educational institutions in the State;
 - (vi) convene meeting of the Maharashtra State Commission for Higher Education and Development as per the directions of the Principal Secretary, Higher and Technical Education Department of the State Government;
 - (vii) convene seminars, workshops, meetings as may be necessary to fulfill and carry out the function and duties of the Maharashtra State Commission for Higher Education and Development;
 - (viii) prepare annual financial estimates and statement of financial requirements for the Maharashtra State Commission for Higher Education and Development for submission to the Ministry of Education.

- (ix) prepare annual report, annual audit reports of the Maharashtra State Commission for Higher Education and Development;
 - (x) get accounts of the Secretariat and the Maharashtra State Commission for Higher Education and Development audited regularly;
 - (xi) be the appointing and disciplinary authority of the officers and other staff of the Secretariat working under him;
 - (xii) prepare rules of terms and conditions of service for employees of the Secretariat;
 - (xiii) exercise such other functions, powers and duties as may be conferred upon him by the Principal Secretary, Higher and Technical Education, Department of the State Government;
 - (xiv) do all such activities so as to fulfill objectives, functions and duties of the Maharashtra State Commission for Higher Education and Development;
 - (xv) undertake any other task as may be assigned by the Maharashtra State Commission for Higher Education and Development and the State.
- (12) Nothing in this section shall empower the Maharashtra State Commission for Higher Education and Development to carry out any executive functions in the management of the affairs of the universities.

CHAPTER VII

TEACHERS AND EMPLOYEES

- Grievances Committee. 61. (1) There shall be a Grievances Committee in each university to deal with all types of grievances except grievances against the State Government, of teachers and other employees of the university, affiliated and autonomous colleges and recognized institutions, other than that managed and maintained by the State Government, Central Government or a local authority, which are not within the jurisdiction of the Tribunal.
- (2) The university shall establish a Grievances Redressal Cell headed by the officer of the university not below than the rank of the Assistant Registrar for providing administrative assistance to the Grievances Committee.
- (3) The Grievances Committee shall consist of the following members, namely:-
- (a) retired Judge of the rank of not lower than District Judge nominated by the Vice Chancellor, Chairperson;
 - (b) the Dean of any of the faculties nominated by the Vice Chancellor;
 - (c) the Director of Higher Education or his nominee not below the rank of Joint Director of Higher Education;
- The officer in charge of Grievances Redressal Cell shall act as a Secretary.
- (4) The retired judge nominated as the Chairperson of the Grievances Committee shall be entitled for remuneration and conveyance charges, as may be determined by the university.

- (5) The Grievances Committee shall hear, settle and decide grievances as far as may be practicable within six months, from the date of filing of the complaint.
- (6) It shall be lawful for the Grievances Committee to entertain and decide grievances or complaints relating to service of the employees, which are not within the jurisdiction of the Tribunal after giving reasonable opportunity of being heard to both parties, and decision of the Grievances Committee shall be final and binding on the university or management or on the State Government, as the case may be.

University and College Tribunal.

62. (1) There shall be one or more university and college tribunals for one or more universities in the State of Maharashtra, governed by this Act as well as the Maharashtra Agricultural Universities Act, 1983, the Maharashtra Animal and Fishery Sciences University Act, 1998 and the Maharashtra Health Sciences University Act, 1998, for adjudication of disputes between the employees of these universities and their respective university and between the employees of the affiliated or autonomous colleges or recognized institutions of these universities, other than those managed and maintained by the State Government, Central Government or local authority and their respective managements, with regard to the matters specified in sub-section (1) of section 63.
- (2) The University and College Tribunal shall consist of one person only i.e. the Presiding Officer, to be appointed by the State Government.
- (3) A person shall not be qualified to be appointed as a Presiding Officer unless,-
 - (a) he is or has been a Judge of High Court; or
 - (b) is qualified to be appointed as a Judge of High Court:

Provided that, a person to be appointed under Clause (b) shall be from amongst the panel of three persons recommended by the Chief Justice of High Court of Judicature at Bombay.
- (4) The appointment of a person as a Presiding Officer of the Tribunal shall be on a full time basis and for such period or periods, but not exceeding three years in aggregate, as the State Government may from time to time, in each case decide.
- (5) The remuneration and other conditions of service of the Presiding Officer shall be as determined by the State Government.
- (6) The university shall make available to the Tribunal such ministerial staff as may be necessary for the discharge of its functions under this Act.
- (7) All expenditure on account of the remuneration, pension, provident fund contribution, leave allowance and other allowances and facilities which may be admissible to the Presiding Officer and the staff placed at his disposal shall be met from the university fund.
- (8) If any vacancy other than a temporary vacancy, occurs in the office of Presiding Officer of a Tribunal, the State Government shall, as soon as possible but in any case within three months, appoint another qualified person to fill the vacancy. In case of a temporary vacancy, the State Government may give the charge to the Presiding Officer of the other

Tribunal until the Presiding Officer resumes duty. Any proceedings pending before the former Presiding Officer may be continued and disposed of by his successor from the stage at which they were when the vacancy occurred.

- Right of appeal. 63. (1) Notwithstanding anything contained in any law or contract for the time being in force, any employee, whether a teacher or other employee in any university governed by this Act or the Maharashtra Agricultural Universities Act, 1983 or the Maharashtra Animal and Fishery Sciences University Act, 1998 or the Maharashtra Health Sciences University Act, 1998, or in affiliated college or recognized institution of any of these universities, other than that managed and maintained by the State Government, Central Government or a local authority, who is-
- (a) dismissed or removed or whose services are otherwise terminated or who is compulsory retired or who is reduced in rank by the university or management and who is aggrieved; or
 - (b) aggrieved by the decision of the Grievances Committee established under the respective Acts; or
 - (c) aggrieved by the decision of the State Government;
- shall have a right of appeal and any appeal against any such order or decision shall lie to the Tribunal:

Provided that, no such appeal shall lie to the Tribunal in any case where the matter has already been decided or pending before a court or Tribunal on the date of commencement of this Act or where the order of dismissal, removal, otherwise termination of service, compulsory retirement or reduction in rank, or decision of the Grievances Committee was passed at any time before the date on which this Act comes into force and in which case the period for filing an appeal has expired.

- (2) Such appeal shall be made by the employee to the Tribunal, within thirty days from the date of receipt by him of the order of dismissal, removal, otherwise termination of services, compulsory retirement or reduction in rank, or of decision of the Grievances Committee, as the case may be:

Provided that, where such order was made before the date of commencement of this Act, such appeal may be made if the period of thirty days from the date of receipt of such order or decision has not expired.

- (3) Notwithstanding anything contained in sub-section (2), the Tribunal may entertain an appeal made to it after the expiry of the said period of thirty days, if it is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

- (4) Every appeal shall be accompanied by a fee as prescribed which shall not be refundable and shall be credited to the university fund:

Provided that it shall be lawful for the State Government to revise, by notification in the *Official Gazette*, such fees as it may deem fit from time to time.

- General powers and procedure of Tribunal. 64. (1) For the purposes of hearing and disposal of appeals, the Tribunal shall have the same powers as are vested in an appellate court under the Code of civil

Procedure, 1908, and shall also have the power to stay the operation of any order against which an appeal is made, on such conditions as it may think fit to impose and such other powers as are conferred on it by or under this Act.

- (2) The Presiding Officer of the Tribunal shall decide the procedure to be followed by the Tribunal for the disposal of its business including the place or places at which and the hours during which it shall hold its sittings.
- (3) Every appeal shall be decided as expeditiously as possible. In every case, endeavour shall be made by the Tribunal to decide an appeal within three months from the date on which the Tribunal receives it. If the Tribunal is unable to dispose of any appeal within this period, it shall put on its record the reasons therefor.

Powers of Tribunal to give appropriate relief and directions.

- 65. (1) On receipt of an appeal, where the Tribunal after giving reasonable opportunity of being heard to both parties, is satisfied that the appeal does not pertain to any of the matters specified in sub-section (1) of section 63 or is not maintainable by it, or there is no sufficient ground for interfering with the order of the university or management or decision of the Grievances Committee, it may dismiss the appeal.
- (2) Where the Tribunal, after giving reasonable opportunity to both the parties of being heard, decides in any appeal that the order of dismissal, removal, otherwise termination of service, compulsory retirement or reduction in rank, or the decision of the Grievances Committee, was in contravention of any law, contract or conditions of service for the time being in force or was otherwise illegal or improper, the Tribunal may set aside the order of the university or the management, or decision of the Grievances Committee, as the case may be, partially or wholly, and direct the university or the management, or as the case may be, the State Government—
 - (a) to reinstate the employee on the same post or on a lower post as it may specify;
 - (b) to restore the employee to the rank which he held before reduction or to any lower rank as it may specify;
 - (c) to give arrears of emoluments to the employee for such period as it may specify;
 - (d) to award such lesser punishment as it may specify in lieu of dismissal, removal, otherwise termination of service, compulsory retirement or reduction in rank, as the case may be;
 - (e) where it is decided not to reinstate the employee or in any other appropriate case, to give such sum to the employees, not exceeding his emoluments for six months, by way of compensation, regard being had to loss of employment and possibility of getting or not getting suitable employment thereafter, as it may specify; or
 - (f) to give such other relief to the employee and to observe such other conditions as it may specify, having regard to the circumstances of the case.
- (3) It shall be lawful for the Tribunal to recommend to the State Government that any dues directed by it to be paid to the employee may be deducted

from the grant payable to the university or, as the case may be, the management and be paid to the employee directly.

- (4) Any direction issued by the Tribunal under sub-section (2) shall be communicated to both parties in writing and shall be complied with by the university or management, or the State Government, as the case may be within the period specified in the direction, which shall but be less than two months from the date of its receipt by the university or, as the case may be, management.

Decision of Tribunal to be final and binding.

66. Notwithstanding anything contained in any law or contract for the time being in force, the decision of the Tribunal on an appeal entertained and disposed of by it shall be final and binding on the employee and the university or management, or as the case may be, the State Government; as the case may be, and no suit, appeal or other legal proceeding shall lie in any court or before any other Tribunal or authority, in respect of the matters decided by the Tribunal.

Penalty to management for failure to comply with directions of the Tribunal.

67. (1) If the university or management or the State Government, as the case may be, fails, without any reasonable cause, to comply with any direction issued by the Tribunal under section 65 within the period specified in the direction, or within such further period as may be allowed by the Tribunal, the university or management, or as the case may be, the State Government shall on conviction, be punished,

(a) for the first offence, with fine which may extend to ten thousand rupees:

Provided that, in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the Tribunal, the fine shall not be less than one thousand rupees:

(b) for the second and subsequent offences, with fine which may extend to twenty thousand rupees:

Provided that, in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the Tribunal, the fine shall not be less than five thousand rupees:

Provided further that, when the direction issued by the Tribunal is not complied with, within the period stipulated in the direction or within such further period as allowed by the Tribunal, and when the contravention is a continuing one, the convicted person shall be punished with a further fine of rupees five hundred per day during which such contravention continues after conviction.

- (2)(a) Where the university or, as the case may be, management committing an offence under this section is a society, every person who at the time the offence was committed, was in charge of and was responsible to the society, for the conduct of the affairs of the society, as well as the society, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that, nothing contained in this sub-section shall render any person liable to the punishment, if he proves that the offence was committed without his knowledge or that he had exercised all the

diligence to prevent commission of the offences.

- (b) Notwithstanding anything contained in clause (a), where the offence has been committed by a society and it is proved that the offence has been committed with the consent or connivance of, or it attributable to any neglect on the part of the Management Council of the university or any president, chairperson, secretary, member, principal or manager or other officer or servant of the society, such Management Council, president, chairperson, secretary, member, principal or manager or other officer or servant concerned, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Explanation.- For the purposes of this section, society means a society registered under the Societies Registration Act, 1860 or a public trust registered under the Bombay Public Trusts Act, 1950, or any other body corporate, and includes an association or body of persons, by whatever name called, under whose management one or more colleges or institutions are conducted and admitted to the privileges of the university.

Legal practitioners excluded from appearance.

68. Notwithstanding anything contained in any law for the time being in force, a legal practitioner shall not be entitled to appear on behalf of any party in any proceedings before the Tribunal.

CHAPTER VIII

ADMISSIONS, EXAMINATIONS, EVALUATION AND OTHER MATTERS RELATING TO STUDENTS

Admissions.

69. In accordance with the reservation policy of the State Government for the weaker sections of society, admissions to all courses in the university departments, affiliated colleges and recognized institutions shall be made on the basis of competitive merit in accordance with the rules, if any, made by the State Government and published in the *Official Gazette*, or Ordinances made by the university:

Provided that, where model rules have been framed by the State Government in the interest of students throughout the State, the university shall adopt the same.

Provided further that, having regard to the maintenance of discipline, the authority concerned shall have the power to refuse admission to a student.

Admission Tribunal.

70. The Tribunal or Tribunals constituted under sub-section (1) of section 62 for every university shall also be the Tribunal or Tribunals for any such university for adjudication of all the disputes relating to admissions to affiliated colleges or recognized institutions of such university. Such Tribunals shall adjudicate the admission disputes as provided hereinafter.

- Application of provisions.
71. The provisions of sub-section (2) to (8) of section 62, sub-section (1) and (2) of section 64, and section 66 and 67 of this Act shall *mutatis-mutandis* apply for adjudication of all disputes relating to admission.
- Right to seek redressal.
72. (1) Any student who seeks admission to a course run by the university or its affiliated or conducted or recognized college or institution having any grievance relating to admission or to the rules of admission framed by the university or the State Government, as the case may be, shall have the right to file an appeal to the Tribunal for appropriate relief.
- (2) Such appeal shall be made by the prospective student to the Tribunal within ten days from the date of finalization of admission or from the date of decision on his application for admission, whichever is earlier:
- Provided that, the Tribunal may entertain an appeal made to it after the expiry of the period specified in the sub-section (2) if it is satisfied that the applicant had sufficient cause for not filing the appeal within the aforesaid period.
- (3) Every appeal shall be accompanied by a fee as prescribed by the respective university, which shall not be refundable and shall be credited to the university fund.
- Powers of Tribunal.
73. (1) When the appeal is against the validity of the rules of admission as framed by the university or the State Government, as the case may be, the Tribunal shall be competent to stay the operation of these rules for a period of fifteen days and shall proceed to dispose of the matter finally as far as possible within the said period.
- (2) In the case of an appeal by an individual prospective student, the Tribunal shall be competent to direct the university or the management of the affiliated or conducted colleges and recognized institutions concerned, to reserve a seat for the appellant temporarily pending final adjudication of the appellant's claims.
- Powers of Tribunal to give proper relief and directions.
74. (1) On receipt of an appeal where the Tribunal, after giving reasonable opportunity of being heard to both parties, decides that the order of denial of appropriate admission to the appellant was in contravention of rules or was otherwise illegal or improper, the Tribunal may, set aside the decision of the university or management or any other competent authority, as the case may be, partially or fully, and direct the university or management or competent authority, as the case may be, to admit the appellant in the university or college or the institution in which the appellant has sought admission.
- (2) In case of an appeal challenging the validity of the rules, the Tribunal may, either annul or rescind the rules or may direct the university or the State Government, as the case may be, to amend or modify the rules in such manner as may be directed by the Tribunal.
- (3) Any direction issued by the Tribunal shall be communicated to both the parties in writing and shall be complied with by the university or the

management or the competent authority, as the case may be, within the period specified in this direction.

Examinations and evaluation.

75. At the beginning of each academic session, the university shall prepare and publish a schedule of examinations and credit based modular system of evaluation for each and every course conducted by itself or by any affiliated college or recognized institution within its jurisdiction and shall strictly adhere to the schedule.

Explanation.- (1) “Schedule of Examinations” means a table giving details about the time day and date of the commencement of each paper which is a part of a scheme of examinations and shall also include the details about the practical examinations;

(2)“Credit based modular system of evaluation” means an evaluation wherein modules taken by students will be assessed immediately upon completion of required academic work as a part of continuous assessment or at the end of a semester. There shall be two or three semesters in an academic year:

Provided however that, in case the university is unable to follow this schedule due to reasons and circumstances beyond its control it shall, as soon as practicable, submit a report to the Chancellor and to the State Government incorporating the detailed reasons for making a departure from the published schedule.

Declaration of results.

76. The university shall strive to declare the results of every examination and evaluation conducted by it within thirty days from the last date of the examination or evaluation for that particular course and shall in any case declare the results latest within forty five days thereof:

Provided however that, if for any reasons whatsoever, the university is unable to finally declare the results of any examination or evaluation within the aforesaid period of 45 days, it shall submit a report incorporating the detailed reasons for such delay to the Chancellor and to the State Government.

Examinations and evaluation not invalid, for non-compliance with schedule.

77. No examination or evaluation or the results of an examination or evaluation shall be held invalid only for the reasons that the university has not followed the schedule as stipulated in section 75 and 76, as the case may be.

Sports and extra-curricular activities.

78. The university shall frame appropriate Statutes, Ordinances and Regulations to ensure that the students selected to represent their classes, colleges or the university as the case may be, for sports, culture and all other activities are selected entirely on the basis of merit, through open merit competition alone and on no other basis.

CHAPTER IX

COMMITTEES AND COUNCILS

Committees and Councils.

79. (1) The following shall be the Committees and Councils constituted under this Act, namely:-
- (i) Statutory Advisory Council;
 - (ii) Finance and Accounts Committee;
 - (iii) Internal Quality Assurance Committee;
 - (iv) Knowledge Resource Committee;
 - (v) College Development Committee;
 - (vi) Purchase Committee;
 - (vii) Students' Council;
 - (viii) Buildings and Works Committee;
 - (ix) Fee Fixation Committee.
- (2) Statutory Advisory Council:
- (a) There shall be a Statutory Advisory Council to advise and assist the Vice-Chancellor in promoting and strengthening the activities of the university.
 - (b) The Statutory Advisory Council shall consist of the following members, namely:-
 - (i) the Vice-Chancellor, Chairperson;
 - (ii) the Provost;
 - (iii) an eminent educationist who is conversant with new trends in the world of education;
 - (iv) information and communication technology expert having experience of working with institution providing higher and professional education;
 - (v) an industrialist having wide experience in the changing scenario of opportunities for graduates and global trends in academy-industry interactions;
 - (vi) an eminent Scientist of repute having experience of working with national and global entities that deal with policy and approaches for new opportunities in research and development;
 - (vii) an eminent social leader or worker having experience of working with the masses and understands the linkages between education and social transformations;
 - (viii) an expert in the domain of finances with experience in creation of new streams for funds generation;
 - (ix) an eminent architect or civil engineer with long experience in creation of master plans and their execution for major civil infrastructure projects;
 - (x) a legal expert having knowledge of for complexities of educational systems and experience of dealing with education and service matters;
 - (xi) the Registrar, Member- Secretary

- (c) The experts, as mentioned under clauses (iii) to (x), shall be nominated by the Vice-Chancellor and their appointment shall be co-terminus with the tenure of the Vice-Chancellor. The members nominated shall be the persons not connected with the university or any college or recognized institution.
- (d) The Statutory Advisory Council shall meet at least three times in a year.
- (e) The Statutory Advisory Council shall,-
 - (i) advise the Vice-Chancellor through generation of reports and action plans in academic, research and development, administration, generation of financial resources and governance so as to make the university academically vibrant, administratively efficient and financially a strong system;
 - (ii) devise a mechanism and approach for monitoring of the working of the university system as a whole;
 - (iii) to keep track of the activities and provide information, critical analysis and comments on the progress and impact of the activities on the working of universities and its identity in the society;
 - (iv) work on a long term development plan for the university and also to advise the university on the five year plan;
 - (v) keep track of various reforms and policies as devised by the Maharashtra State Commission for Higher Education and Development;
 - (vi) advise the Vice-Chancellor on the implementation of policies in regard to various activities of the university;
 - (vii) undertake any other task that may be assigned by the Vice-Chancellor with regard to the development of the university.

(3) Finance and Accounts Committee:

- (a) There shall be a Finance and Accounts Committee to plan coordinate and oversee the financial operations of the university. It shall examine the accounts, the progress of expenditure and all new proposals involving fresh expenditure in the light of the provisions available.
- (b) The Finance and Accounts Committee shall consist of the following members, namely: -
 - (i) the Vice-Chancellor, Chairperson;
 - (ii) the Provost;
 - (iii) the Director of Accounts and Treasuries or his representative, not below the rank of Deputy Director of Accounts and Treasuries;
 - (iv) the Chancellor's Nominee from the Management Council;
 - (v) one person from the Academic Council, nominated by the Vice-Chancellor;
 - (vi) two experts nominated by the Vice-Chancellor one of whom shall be an expert in the field of accounting and auditing and one shall be an expert in the area of finance;

- (vii) the Registrar;
 - (viii) the Finance and Accounts Officer, Member- Secretary.
- (c) The quorum for a meeting of the committee shall be four.
- (d) All members of the committee other than ex-officio members shall hold office for a term of five years and shall not be eligible for a second consecutive term.
- (e) The committee shall meet at least four times a year to examine the accounts, the progress of expenditure and all new proposals involving fresh expenditure in the light of the provisions available.
- (f) The Finance and Accounts Committee shall,-
- (i) examine and consider annual statement of accounts, and the annual financial estimates (budget), both prepared by the Finance and Accounts Officer; and recommend the same to the Management Council for approval;
 - (ii) recommend to the Management Council the limits for the total recurring and non-recurring expenditure for the year, based on the income and resources of the university, including the proceeds of loans for productive work;
 - (iii) recommend to the Management Council productive investment and management of university assets and resources;
 - (iv) explore the possibilities of, augmenting further the resources for the development of the university;
 - (v) take necessary steps to have the university accounts audited by auditors appointed by the Management Council;
 - (vi) advise the Management Council on matters related to the administration of the property and the funds of the university;
 - (vii) ensure proper implementation of the orders issued by the State Government from time to time, in respect of funds, assets, and other resources received from the State Government;
 - (viii) advise on financial matters referred to it by the Management Council, Academic Council or any other authority, body or committee or any officer of the university;
 - (ix) report to the Vice-Chancellor any lapse or irregularity in financial matters which comes to its notice so that he may take suitable prompt actions after assessing the seriousness of the matter or refer it to the Management Council;
 - (x) ensure that the annual accounts of the university, colleges and institutions are open for audit by the auditors appointed by the State Government;
 - (xi) study various reforms suggested by the Maharashtra State Commission of Higher Education and Development for management of financial resources, maintenance of accounts and use of modern technologies to enhance the efficiency in accounts maintenance and audit procedures;
 - (xii) carry out any other functions and tasks as may be assigned by the university authorities.

- (4) Internal Quality Assurance Committee:
- (a) There shall be an Internal Quality Assurance Committee in the university to plan, guide and monitor quality assurance and quality enhancement in all the academic activities of the university.
 - (b) The Internal Quality Assurance Committee in the university shall consist of the with following members, namely:-
 - (i) the Vice-Chancellor, Chairperson;
 - (ii) the Provost;
 - (iii) Deans of faculties;
 - (iv) four heads of the university departments nominated by the Vice-Chancellor, representing each faculty;
 - (v) two Experts in quality management nominated by the Vice-Chancellor from academic institutions and industry;
 - (vi) the Registrar, Member- Secretary.
 - (c) All members of the Committee, other than the ex-officio members shall hold office for a period of three years.
 - (d) The Internal Quality Assurance Committee shall meet as many times as necessary to do the tasks assigned to it.
 - (e) The Coordinator of the Internal Quality Assurance Committee shall be nominated by the Vice-Chancellor from the members representing the heads of the university departments on the Committee;
 - (f) The Internal Quality Assurance Committee shall,-
 - (i) act as a nodal agency of the university for coordinating quality-related activities, including adoption and dissemination of good practices;
 - (ii) develop a quality system to improve the academic and administrative performance of the university;
 - (iii) develop and maintain an institutional database through the management information system for the purpose of maintaining and enhancing the institutional quality;
 - (iv) promote measures for institutional functioning towards quality enhancement through internationalization of quality culture and institutionalization of best practices;
 - (v) document various programmes or activities of the university, leading to quality improvement;
 - (vi) prepare the annual quality assurance report of the university based on the quality parameters or assessment criteria developed by relevant quality assurance bodies;
 - (vii) develop bi-annually quality radars and ranking of integral units of the university based on the annual quality assurance report;
 - (viii) organize inter-institutional and intra-institutional workshops and seminars on quality related themes and promotion of quality circles;
 - (ix) arrange feedback responses from students, teachers, non-teaching employees, funding agencies, management, parents and other stakeholders on quality-related institutional processes;

- (x) develop a quality culture in the university;
 - (xi) create an exclusive window on the official website of the university to regularly report on its activities as well as for hosting the annual quality assurance report;
 - (g) The Annual Quality Assurance Report shall be approved by the Management Council of the university for the follow up action for the necessary quality enhancement measures. The university shall regularly submit the Annual Quality Assurance Report to the National Assessment and Accreditation Council or other accreditation bodies.
 - (h) There shall be an Internal Quality Assurance Committee in each college and recognized institution consisting of the following members, namely:-
 - (i) the principal of the college or head of the institution, Chairperson;
 - (ii) one head of the department from each faculty nominated by the principal of the college or head of the institution;
 - (iii) Librarian of the college or institution;
 - (iv) one expert from academic institution or industry nominated by the principal of the college or head of the institution.
 - (i) Provisions of clauses (c) to (f) shall apply, *mutatis-mutandis*, for Internal Assurance Committees of the colleges and recognized institutions.
 - (j) The colleges and recognized institutions shall regularly submit their Annual Quality Assurance Reports to the affiliating university, State level quality assurance bodies, National Assessment and Accreditation Council and other accreditation bodies.
 - (k) The university shall monitor the functioning of Internal Quality Assurance Committees in the colleges and recognized institutions within its jurisdiction.
- (5) Knowledge Resource Committee:
- (a) There shall be a Knowledge Resource Committee for administering, organizing and maintaining the Knowledge Resource Centre, print and electronic material and related services of the university.
 - (b) The Knowledge Resource Committee shall consist of the following members, namely:-
 - (i) the Vice-Chancellor, Chairperson;
 - (ii) one Dean of faculty, nominated by the Vice-Chancellor;
 - (iii) one head of the university department or university institution nominated by the Vice-Chancellor;
 - (iv) two members nominated by the Vice-chancellor, one from industry and one librarian from a national level organization such as Indian Institute of Technology;
 - (v) the Registrar;
 - (vi) the Finance and Accounts Officer;
 - (vii) the Director, Knowledge Resource Centre, Member- Secretary.

- (c) All members of the Knowledge Resource Committee, other than the *ex-officio* members, shall hold office for a period of three years.
- (d) The Knowledge Resource Committee shall meet at least three times a year.
- (e) The Knowledge Resource Committee shall,-
 - (i) provide for proper organization and support for the functioning of the Knowledge Resource Centre, documentation services and maintenance of records in analogue and digital form;
 - (ii) provide the approach and operational plan for modernization and improvement of Knowledge Resource Centre and documentation services in both analogue and digital format;
 - (iii) recommend to the Management Council fees and other charges for the services and use of the Knowledge Resource Centre by students and others;
 - (iv) prepare the annual budget and proposal for development of the Knowledge Resource Centre for approval of the Management Council;
 - (v) submit the annual report on the functioning of the Knowledge Resource Centre;
 - (vi) establish a network with regional, national and international libraries and information centers;
 - (vii) hold the information pertaining to all administrative, governance, academic and other documents and information and data pertaining to the working of colleges, university departments or institutions and administrative offices of the university and related to assessment and accreditation of colleges, recognized institutions and the university;
 - (viii) undertake any other task as may be assigned by the university authorities so as to carry out objectives of the Knowledge Resource Centre.

(6) College Development Committee:

- (a) There shall be a separate College Development Committee for every affiliated college or recognized institution, consisting of the following members, namely:-
 - (i) Chairperson of the management or his nominee, *ex-officio* Chairperson;
 - (ii) Secretary of the management or his nominee;
 - (iii) one head of department, to be nominated by the principal or the head of the institution;
 - (iv) two teachers in the college or recognized institution nominated by the principal or the head of the institution, of whom one shall be the Professor and the other shall be Associate Professor or Assistant Professor; or if there is no professor, one Associate Professor and one Assistant Professor; or if there are no Professor and Associate Professor, two Assistant Professors;
 - (v) one non-teaching employee of Cadre C and above, nominated by

- the principal or the head of the institution;
 - (vi) four local members nominated by the management in consultation with the principal, from the fields of education, industry, research and social service and having minimum post-graduate degree;
 - (vii) Chairperson, Internal Quality Assurance Committee of the college;
 - (viii) principal of the college or head of the institution;
 - (ix) Registrar of the college or institution, Member- Secretary.
- (b) For a college or institution managed and maintained by the State Government, the College Development Committee shall consist of the following members, namely:-
- (i) Joint Director or Deputy Director designated by the Director of Higher Education, *ex-officio* Chairperson;
 - (ii) one head of department, nominated by the principal or the head of the institution;
 - (iii) two teachers in the college or recognized institutions nominated by the principal or the head of the institution, of whom one shall be the professor and the other shall be Associate Professor or Assistant Professor; or if there is no professor, one Associate Professor and one Assistant Professor; or if there are no Professor and Associate Professor, two Assistant Professors;
 - (iv) one non-teaching employee of Cadre C and above, nominated by the principal or the head of the institution;
 - (v) four local members nominated by the management in consultation with the principal, from the fields of education, industry, research and social service and having minimum post-graduate degree;
 - (vi) Chairperson, Internal Quality Assurance Committee of the college, *ex-officio*;
 - (vii) principal of the college or head of the institution;
 - (viii) Registrar of the college or institution, Member- Secretary.
- (c) The College Development Committee shall meet at least four times a year. The Registrar of the college shall maintain the minutes of the meetings.
- (d) Nominated members shall have a term of five years. If any vacancy occurs in the office of such member, the vacancy shall be filled within three months by the Principal and the member so appointed shall hold office for the residual term for which the earlier member shall have held the office if the vacancy had not occurred.
- (e) The College Development Committee shall,-
- (i) prepare an overall comprehensive development plan of the college regarding academic, administrative and infrastructural growth, and enable college to foster excellence in curricular, co-curricular and extra-curricular activities;
 - (ii) decide about the overall teaching programmes or annual calendar of the college;

- (iii) recommend to the management about introducing new academic courses and the creation of additional teaching and administrative posts;
- (iv) take review of the self-financing courses in the college, if any, and make recommendations for their improvement;
- (v) make specific recommendations to the management to encourage and strengthen research culture, consultancy and extension activities in the college;
- (vi) make specific recommendations to the management to foster academic collaborations to strengthen teaching and research;
- (vii) make specific recommendations to the management to encourage the use of information and communication technology in teaching and learning process;
- (viii) make specific recommendations regarding the improvement in teaching and suitable training programmes for the employees of the college;
- (ix) prepare the annual financial estimates(budget) and financial statements of the college or institution and recommend the same to the management for approval;
- (x) formulate proposals of new expenditure not provided for in the annual financial estimates (budget);
- (xi) make recommendations regarding the students' and employees' welfare activities in the college or institution;
- (xii) discuss the reports of the Internal Quality Assurance Committee and make suitable recommendations;
- (xiii) frame suitable admissions procedure for different programmes by following the statutory norms;
- (xiv) plan major annual events in the college, such as annual day, sports events, cultural events, etc.
- (xv) recommend the administration about appropriate steps to be taken regarding the discipline, safety and security issues of the college or institution;
- (xvi) consider and make appropriate recommendations on inspection reports, local inquiry reports, audit report, report of National Assessment and Accreditation Council, etc;
- (xvii) recommend the distribution of different prizes, medals and awards to the students and staff of the college or institution;
- (xviii) prepare the annual report on the work done by committee for the year ending on the 30th June and submit the same to the management and to the Management Council of the university;
- (xix) perform such other duties and exercise such other powers as may be entrusted by the management and the university.

(7) Purchase Committee:

- (a) There shall be a Purchase Committee for dealing with all matters pertaining to all purchases of the university, in respect of such items where individual cost of each item exceeds rupees two lakh at a

time.

- (b) The committee shall consist of the following members, namely:-
 - (i) the Vice-Chancellor, Chairperson
 - (ii) the Chancellor's Nominee on the Management Council;
 - (iii) two heads of university departments or university institutions nominated by the Vice-Chancellor;
 - (iv) one expert nominated by the Vice-Chancellor preferably in the area of Material Management from the Industry;
 - (v) the Registrar;
 - (vi) the Finance and Accounts Officer, Member- Secretary.
- (c) During the absence of the Finance and Accounts Officer, the Registrar shall act as the Secretary of the Committee.
- (d) The Purchase Committee shall invite the heads of the university departments or university institutions, for which the purchase is to be made.
- (e) All members of the committee, other than *ex-officio* members, shall hold office for a period of three years.
- (f) The powers and duties of the Purchase Committee and the procedure for its meetings shall be as prescribed by the Statutes.

(8) Students' Council:

- (a) There shall be a University Students Council as specified in sub-clause (d), a university department Students Council for the post-graduate departments of the university and a Students Council for each conducted college or institution of the University and each affiliated college, to look after the welfare of the students and to promote and co-ordinate the extracurricular activities of different student's associations for better corporate life. The Councils shall not engage in political activities.
- (b) (i) The University Department Students' Association shall consist of the following members, namely:-
 - (1) one Student from each university department to be elected by an electoral college consisting of students who are engaged in full time studies in that department;
 - (2) one lady student to be elected by an electoral college consisting of students who are engaged in full time studies in the university departments;
 - (3) one student belonging to Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*)/Nomadic Tribes or Other Backward Classes or Special Backward Category, by rotation, elected by an electoral college consisting of students who are engaged in full time studies in the University departments;
 - (4) one university representative elected by an electoral college consisting of students who are engaged in full time studies in the university departments.
- (ii) The student members other than the university representative, so

elected shall, in its first meeting elect from amongst themselves, the office bearers of the University Departments Students' Council. The University Department Students' Council shall consist of the following members, namely:-

- (1) one student elected by the student members of University Departments Students' Association from amongst themselves - *ex-officio* President;
- (2) one student elected by the student members of University Departments Students' Union from amongst themselves - *ex-officio* Secretary;
- (3) one student elected by the student members of University Departments Students' Union - *ex-officio* Vice-President;
- (4) one student elected by the student members of University Departments Students' Association from amongst themselves - *ex-officio* Joint Secretary;
- (5) one student elected by the student members of University Departments Students' Association from amongst themselves - *ex-officio* Treasurer;
- (6) One lady representative elected under sub-clause (i) (2) of clause (b) - Member;
- (7) one student elected under sub-clause (i) (3) of clause (b) - Member;
- (8) one student each from National Service Scheme, National Cadet Corps, Sports and Cultural activities to be elected from the electoral college consisting of students who are engaged in National Service Scheme, National Cadet Corps, Sports and Cultural activities - Member.

(c) (i) The Students Association for each institution, conducted college or affiliated college shall consist of the following members, namely:-

- (1) one student from each class to be elected by an electoral college consisting of students who are engaged in full time studies in that class;
- (2) one lady student to be elected by an electoral college consisting of students who are engaged in full time studies in that college;
- (3) one student belonging to Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*)/Nomadic Tribes or Other Backward Classes or Special Backward Category, by rotation, elected by an electoral college consisting of students who are engaged in full time studies in the college;
- (4) one university representative elected by an electoral college consisting of students who are engaged in full time studies in the college'.

(ii) The student members other than the university representative, so elected shall, in its first meeting elect from amongst themselves, the office bearers of the College Students' Council. The College Students' Council shall consist of the following members, namely:-

- (1) one student elected by the student members of College Students'

- Association from amongst themselves - *ex-officio* President;
- (2) one student elected by the student members of College Students' Association from amongst themselves - *ex-officio* Secretary;
 - (3) one student elected by the student members of College Students' Association - *ex-officio* Vice-President;
 - (4) one student elected by the student members of College Students' Association from amongst themselves -*ex-officio* Joint Secretary;
 - (5) one student elected by the student members of College Students' Union from amongst themselves -*ex-officio* Treasurer;
 - (6) One lady representative elected under sub-clause (i) (2) of clause (c)- Member;
 - (7) one student elected under sub-clause (i) (3) of clause (c)- Member;
 - (8) one student each from National Service Scheme, National Cadet Corps, Sports and Cultural activities to be elected from the electoral college consisting of students who are engaged in National Service Scheme, National Cadet Corps, Sports and Cultural activities-Member.
- (d)(i) There shall be University Students' Association consisting of the following members, namely:-
- (1) one university representative from each college and recognized institution, elected by an electoral college consisting of students who are engaged in full time studies in the college or recognized institution, as the case may be;
 - (2) one university representative elected by an electoral college consisting of students who are engaged in full time studies in the university departments on the University Department Students' Association.
- (ii)The student members of the University Students' Association in its first meeting shall elect, from amongst themselves, the office bearers of the University Students' Council. There shall be a University Students' Council shall consist of the following members, namely:-
- (1) one student elected by the student members of University Students' Association from amongst themselves- *ex-officio* President;
 - (2) one student elected by the student members of University Students' Association from amongst themselves- *ex-officio* Secretary;
 - (3) one student elected by the student members of University Students' Association from amongst themselves- *ex-officio* Vice-President;
 - (4) one student elected by the student members of University Students' Association from amongst themselves- *ex-officio* Joint Secretary;
 - (5) one student elected by the student members of University Students' Association from amongst themselves - *ex-officio* Treasurer;

- (6) one lady representative elected by student members of University Students' Association from amongst themselves-*ex-officio* Member;
- (7) one student belonging to Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*)/Nomadic Tribes or Other Backward Classes or Special Backward Category, by rotation, elected by student members of University Students' Union from amongst themselves - *ex-officio* Member;
- (8) one member representing each district elected by student members of University Students' Association from amongst themselves- Member:

Provided that in case of Shreemati Nathibai Damodar Thackersey Women's University, the student members of the University Students' Association in its first meeting shall elect, from amongst themselves, one member representing each State under the jurisdiction of the university on the University Students Council;

- (9) one university representative elected under sub-clause (i)(4) of clause (b) -Member;
 - (10) one student each from National Service Scheme, National Cadet Corps, Sports and Cultural activities to be elected from the electoral college consisting of students who are engaged in National Service Scheme, National Cadet Corps, Sports and Cultural activities - Member.
- (e) The first meeting of the University Students' Union shall be presided over by the Vice-Chancellor and shall be attended by such other officers as he may deem fit.
 - (f) A student shall be eligible to be, or continue to be, a member of any of the Students' Councils, only if he is enrolled as a full time student.
 - (g) During the period of the election, no person who is not a student on the roll of the college or institution or university, shall be permitted to take part in the election process in any capacity. Any person or candidate violating this rule shall be liable for disciplinary action against him in addition to the revocation of his candidature.
 - (h) The procedure for election and the powers and duties of the University Department Students' Council, Students' Council for each institution, conducted college or affiliated college and University Students' Council shall be as may be prescribed by the Statutes.
 - (i) The election of the student members of the Students' Councils shall be made every year, as soon as possible after the commencement of the academic year on a date as may be prescribed. The term of office of the elected student members shall begin with effect from the date of election shall extend upto the last day of the academic year, unless they have, in the meantime, incurred any of the disqualifications specified by or under the Act, and shall then expire.
 - (j) One third of the members of the Students' Council shall constitute the quorum. The rules and procedure for conduct of business of the

meetings and such other matters shall be such as may be prescribed by the Statutes. The Council shall meet at least once in every three months.

(k) Code of conduct for the candidates and election administrators and grievance redressal mechanism shall be as may be prescribed by the Statutes.

(9) Buildings and Works Committee:

- (a) There shall be a Buildings and Works Committee to carry out several minor and major infrastructure development activities of the university efficiently and in a time bound manner.
- (b) The Buildings and Works Committee shall consist of the following members:-
- (i) the Vice-Chancellor, Chairperson;
 - (ii) the Provost;
 - (iii) the Chancellor's Nominee on the Management Council;
 - (iv) Chief Engineer of the Public Works Department in-charge of the region in which the university is situated or his nominee not below the rank of Executive Engineer from that region;
 - (v) one eminent engineer nominated by the Vice-Chancellor from the private sector;
 - (vi) an eminent architect nominated by the Vice-Chancellor from the private sector;
 - (vii) the Registrar;
 - (viii) the Finance and Accounts Officer;
 - (ix) the Executive Engineer of the university, Member-Secretary
- (c) The term of the office of the members other than *ex-officio* members shall be five years. If any vacancy occurs in the office of a member, the same shall be filled within one month by the Vice-Chancellor and the member so appointed shall hold office for the residual term for which the earlier member shall have held the office if the vacancy had not occurred.
- (d) No persons, except those who are members of the committee by virtue of the office, shall be nominated as members for more than one term i.e. five years.
- (e) The Buildings and Works committee shall,-
- (i) under direction and overall superintendence of the Management Council, be responsible for the execution of all types of works, including major works to be executed through the agency of Public Works and Housing Department;
 - (ii) accord administrative approval and financial sanction, subject to availability of funds in the budget, to maintenance works.
 - (iii) recommend and obtain administrative approval and expenditure sanction of the Management Council in respect of all minor and major works;
 - (iv) recommend to the Management Council through the Finance and Accounts Committee, a 'Programme of Works' to be executed in the ensuing year, specifying maintenance works, minor works

and major works, separately.

- (v) prepare a panel of ten to twelve architects and other specialized consultants of proven experience and merit for the university works and get the same approved by the Management Council. Such panel will be subject to approval by the Chancellor, who may make such modifications in it as deemed fit;
- (vi) on getting administrative approval and expenditure sanction of the Management Council to minor and major works, to cause to be prepared from the Executive Engineer of the university or the architect selected for a project, borne on the panel of approved architects of the university, plans and estimates of such works. These plans and estimates as far as possible will be based on the schedule of rates of the Public Works and Housing Department in whose jurisdiction the works in question are located;
- (vii) maintain a list of approved contractors on the basis of their technical experience and financial capability for execution of maintenance works and minor works.
- (viii) be responsible for making technical scrutiny as may be considered necessary by it;
- (ix) be responsible, after careful scrutiny, for the acceptance of tenders received for maintenance works and major works;
- (x) exercise general supervision over the work of the engineering staff of the university, and in particular ensure that essential records and data, are maintained up-to-date and that the rejected tenders are retained for a reasonable period;
- (xi) ensure that that the Executive Engineer of the university certifies the completion of works in accordance with the final designs by the architect, if appointed, in respect of maintenance works and minor works;
- (xii) associate the consulting architects, when appointed for a minor work or a major work, with its deliberation if it considers that necessary. The consulting Architects will not, however, issue any direction or orders directly either to the Executive Engineer of the university in case of maintenance works and minor works, or to the engineers of the Public Works and Housing Department in case of major works;
- (xiii) settle rates not covered by tender and settle claims and disputes with contractors in respect of maintenance works and minor works:

Provided that, such rates or claims and disputes will be settled by the Public Works and Housing Department in respect of major works entrusted to that Department, subject to the condition that if the decision in respect of any such claims, disputes etc. is likely to cause excess over the approved estimated cost of the project, prior sanction of the Management Council shall be obtained by the Public Works and Housing Department to such an excess amount;

- (xiv) exercise such other powers and perform such other duties as may be conferred upon it by the Statutes.
 - (f) The Chairperson of the committee will, in respect of maintenance and minor works, have the power to sanction the payment of monthly Running Account Bills of a work, subject to such bill having been examined by the Architect, where appointed, and certified as 'fit for payment' by the Executive Engineer of the university. The bills so paid will be put up for approval of the committee at its next meeting.
 - (g) If there are reasonable grounds for the Chairperson of the committee to believe that there is an emergency which requires immediate action to be taken, he may exercise the powers of the committee. Such cases shall be reported by the Chairperson at the next meeting of the committee.
 - (h) Procedure for the execution of all types of works in the university and procedure for conduct of business at the meetings of the committee shall be as prescribed by the Statutes.
- (10) Fee Fixation Committee:
- (a) There shall be a Fee Fixation Committee to work out the real cost of delivery of each and every under-graduate and post-graduate courses or programmes run by the university, colleges and recognised institutions and to decide the tuition fees, other fees and charges for various courses or programmes conducted by the university, colleges and recognized institutions, except autonomous colleges and autonomous institutions.
 - (b) There shall be a Fee Fixation Committee consisting of the following members, namely:-
 - (i) a retired Vice-Chancellor or an eminent educationist having wide experience in the field of education, who shall not be connected with the university or any college or institution under its jurisdiction;
 - (ii) Dean of the faculty concerned;
 - (iii) the Chancellor's Nominee on the Management Council;
 - (iv) one finance expert nominated by the Vice-Chancellor, preferably a Chartered Accountant, not connected with the university or college or institutions under its jurisdiction;
 - (v) one legal expert nominated by the Vice-Chancellor, not connected with the university or college or institution under its jurisdiction.
 - (c) The quorum for a meeting of the Committee shall be at least three members.
 - (d) All members of the committee, other than ex-officio members shall hold office for a term of five years and shall not be eligible for a second consecutive term in the same university.
 - (e) The Committee shall meet at least twice a year to examine and consider the fee fixation proposals, and shall hold as many meetings as needed. The Committee shall decide tuition fees, other fees and charges, at least six months before the commencement of academic

year.

Selection and appointment to the posts of university teachers, and teachers, principals and equivalent posts in conducted colleges, affiliated colleges and recognized institutions.

80. (1) There shall be a Recruitment Board in each university for making recommendations of suitable candidates for appointment on a regular basis, to the posts of university teachers, and teachers, principals and equivalent posts in all conducted colleges, affiliated colleges and recognized institutions for which grant-in-aid is received from the State Government.
- (2) The constitution of the Recruitment Board for appointment to the posts of university teachers, teachers, principals and equivalent posts in conducted colleges, shall be as follows,-
- (i) the retired Vice-Chancellor of the university, nominated by the Chancellor;
 - (ii) nominee of the State Government, not below the rank of Joint Secretary of Higher Education;
 - (iii) two experts in the concerned subject, nominated by the Vice Chancellor;
 - (iv) an academician belonging to Scheduled Castes or Scheduled Tribes or Denotified Tribes (Vimukta Jatis)/Nomadic Tribes or Other Backward Classes or Special Backward Category or minority or woman or differently abled categories, nominated by the Vice-Chancellor, if any of the candidates representing these categories is the applicant and if any of the above members does not belong to that category;
 - (v) Head of the Department concerned, nominated by the Vice-Chancellor; where head of the department concerned himself is an applicant, an expert in the concerned subject, nominated by the Vice Chancellor
- (3) The constitution of the Recruitment Board for appointment to the posts of teachers, principals and equivalent posts in affiliated colleges and recognized institutions shall be as follows,-
- (i) the retired Vice-Chancellor of the university, nominated by the Chancellor;
 - (ii) nominee of the State Government, not below the rank of Joint Secretary of Higher Education;
 - (iii) two experts in the concerned subject, nominated by the Vice Chancellor;
 - (iv) an academician belonging to Scheduled Castes or Scheduled Tribes or Denotified Tribes (Vimukta Jatis)/Nomadic Tribes or Other Backward Classes or Special Backward Category or minority or woman or differently abled categories, nominated by the Vice-Chancellor, if any of the candidates representing these categories is the applicant and if any of the above members does not belong to that category;
 - (v) one representative of the management concerned/principal nominated by the Vice-Chancellor;
- At least four members, including two outside subject experts shall

constitute the quorum.

- (4) The Recruitment Board shall adopt procedures and processes that are in consonance with the guidelines of the University Grants Commission.
- (5) The functions, duties and responsibilities of the members of the Board, procedure for selection and other terms and conditions shall be as may be specified by the State Government, by an Order published in the *Official Gazette*.

Filling temporary vacancies of university teachers.

81. (1) Where an appointment is to be made on a temporary vacancy of teacher of the university because of resignation, leave or any reason, whatsoever, the Vice-Chancellor may fill the vacancy by appointing a duly qualified person, on the recommendation of a local selection committee.
- (2) Local selection committee shall consist of the following members, namely:-
- (i) the Vice-Chancellor, Chairperson;
 - (ii) the Dean of the faculty concerned;
 - (iii) the head of the department concerned;
 - (iv) one expert nominated by the Vice-Chancellor, except that, where the head of the department is also the Dean, the Vice-Chancellor shall nominate two persons instead of one;
 - (v) one member belonging to Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*)/Nomadic Tribes or Other Backward Classes or Special Backward Category, nominated by the Vice-Chancellor;
 - (vi) the Director, Higher Education or his nominee, not below the rank of Joint Director of Higher Education; and
 - (vii) the Director, Technical Education or his nominee, not below the rank of Joint Director of Technical Education:

Selection committees for officers and employees of university.

82. (1) (a) There shall be a selection committee for making recommendations of suitable candidates for appointment to the posts of-
- (i) Dean of faculty;
 - (ii) Director of sub-campus of the university;
 - (iii) Registrar;
 - (iv) Director, Board of Examinations and Evaluation;
 - (v) Director, International and National Linkages;
 - (vi) Director of Students' Development;
 - (vii) Director of Sports and Physical Education;
- (b) The Selection Committee shall consist of:
- (i) the Vice-Chancellor, Chairperson;
 - (ii) the Chancellor's nominee on the Management Council;
 - (iii) two experts having special knowledge in the field related to the post to be filled, who are not connected with the university and affiliated college or recognized institution under its jurisdiction, nominated by the Vice-Chancellor;

- (iv) one person belonging to Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*) /Nomadic Tribes, or Other Backward Classes, or Special Backward Category, nominated by the Vice-Chancellor;
 - (v) Director of Higher Education or his nominee not below the rank of the Joint Director of Higher Education;
 - (vi) the Registrar, Member-Secretary, except where he himself is a candidate for the post. In such case, the Provost shall be the Member- Secretary.
- (2) Selection Committee for the Director of Centre for Innovation, Incubation and Enterprise shall consist of the following members, namely:-
- (a) the Vice-Chancellor, Chairperson;
 - (b) the Dean of the Faculty of Science and Technology;
 - (c) two senior experts nominated by Vice-Chancellor with knowledge and experience in the domain in which the post is advertised;
 - (d) one person, nominated by the Vice-Chancellor, preferably with knowledge and experience in the domain in which the position is advertised, belonging to Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*)/Nomadic Tribes, or Other Backward Classes or Special Backward Category;
 - (e) Director of Higher Education or his nominee not below the rank of the Joint Director of Higher Education;
 - (f) the Registrar, Member-Secretary
- (3) All posts as mentioned in clause (a) of sub-section (1) and sub-section (2), shall be duly and widely advertised. The Vice-Chancellor shall appoint a screening committee of not less than three persons with appropriate experience and knowledge in the domain in which the post is advertised and applications are sought for creating a list of suitable candidates to be invited for interview.
- (4) The date of the meeting of every selection committee shall be so fixed as to allow a notice of at least thirty days of such meeting, being given to each member; and the particulars of each candidate shall be sent to each member of the selection committee so as to reach him at least seven days before the date of meeting.
- (5) The Selection Committee and mode of appointment of other officers of the university shall be such as may be prescribed by the Regulations.

Other Committees.

83. In addition to the committees constituted under this Act, the Vice-Chancellor or authorities of the university may appoint additional committees with suitable terms and reference for any specific task, and such committee shall consist of such persons as the Vice-Chancellor or the authority constituting such a committee may nominate.

CHAPTER X

PERMISSION, AFFILIATION AND RECOGNITION

Perspective Plan.

84. (1) The university shall prepare a perspective plan every five years, for the location of colleges and institutions of higher learning in a manner ensuring comprehensive equitable distribution of facilities for higher education having due regard, in particular, to the needs of unserved and under-developed areas within the jurisdiction of the university.
- (2) The perspective plan shall include the new courses and subjects to be permitted which shall be determined by studying the social and economic needs of the region, job opportunities available and requirements of the industry and should be in conformity with the plans of the State Government and the National Policy for Higher Education.
- (3) The perspective plan shall make provision for the number of new divisions to be permitted to the colleges and institutions of higher learning in different regions after factoring in the demand for the concerned course and shall be in conformity with the plans of the State Government and the National Policy for Higher Education.
- (4) While preparing the perspective plan preference shall be given to the districts where *Gross Enrolment Ratio* is less than the national average and to the tribal, hilly and inaccessible areas.
- (5) The university shall prepare an annual plan every year for the location of colleges and institutions of higher learning, in consonance with the perspective plan.

Conditions of affiliation and recognition.

85. (1) The management applying for affiliation or recognition, and management whose college or institution has been granted affiliation or recognition, shall give the following undertaking and shall comply with the following conditions,-
- (a) that the provisions of the Act and Statutes, Ordinances, and Regulations thereunder and the standing orders and directions of the university shall be complied with;
- (b) that there shall be a separate College Development Committee provided for an affiliated college as provided by sub-section (6) of section 79;
- (c) that the number of students admitted for courses of study shall not exceed the limits prescribed by the university and the State Government from time to time;
- (d) that there shall be suitable and adequate physical facilities such as buildings, laboratories, libraries, books, equipment required for teaching and research, hostels, gymnasium, as may be prescribed;
- (e) that the financial resources of the college or institution shall be such as to make due provision for its continued maintenance and working;
- (f) that the strength and qualifications of teachers and non-teaching employees of the affiliated colleges and recognized institutions and the emoluments and the terms and conditions of service of the staff of affiliated colleges shall be such as prescribed by the university and

which shall be sufficient to make due provision for courses of study, teaching or training or research, efficiently;

- (g) that the services of all teachers and non-teaching employees and the facilities of the college to be affiliated shall be made available for conducting examinations and evaluation and for promoting other activities of the university;
 - (h) that the directions, and orders issued by the Chancellor, Vice-Chancellor and other officers of the university in exercise of the powers conferred on them under the provisions of the Act, Statutes, Ordinances, Regulations and Rules shall be complied with;
 - (i) that there shall be no change or transfer of the management without prior permission of the university;
 - (j) that the college or institution shall not be closed without previous permission of the university;
 - (k) that in the event of disaffiliation or de-recognition or closure of the college or institution under section 99 all the assets of the college or institution including building and equipment which have been constructed or created out of the amount paid as a grant-in-aid by the State Government or the University Grants Commission shall vest in the State Government.
- (2) No college or institution of higher learning which is part of another university shall be considered for affiliation or recognition, as the case may be, unless a “no objection certificate” is given by the parent university.

Procedure for permission for opening new college.

86. (1) The proposals for opening new colleges or institutions of higher learning or for starting new courses of study, subjects, faculties or additional divisions which are in conformity with the annual plan only, shall be invited and considered by the university.
- (2) The Management seeking permission to open a new college or institution of higher learning or to start a new course of study, subject, faculty or additional division shall apply in a prescribed format, to the Registrar of the university before the last day of October of the year preceding the year from which the permission is sought.
- (3) Only those applications complying with the requirements and received within the prescribed time-limit, shall be accepted and considered by the university.
- (4) All such applications shall be scrutinized by the Board of Deans and a report thereof be forwarded to the Vice-Chancellor on or before 15th November of the year.
- (5) The university shall inform the management, of the discrepancies in the application or documents submitted for seeking permission to open a new college or institution of higher learning, on or before 20th November of the year and shall ask the management to comply with the requirements, on or before 30th November of the year.
- (6) The Board of Deans shall scrutinize applications submitted by the managements after complying with the discrepancies within the aforesaid

prescribed time limit and submit a report of applications with specific recommendations as to their eligibility, to the Vice-Chancellor, on or before 15th December of the year.

- (7) The Vice-Chancellor shall constitute as many expert committees as required to cause an inspection for physical verification of all requirements for grant of an affiliation. Members of the expert committees shall not be member of the Board of Deans.
- (8) The expert committee shall visit the college or institution of higher learning on or before 15th January of the year and submit a report thereof to the Vice-Chancellor for approval, with such recommendations duly supported by relevant reasons as are deemed appropriate, on or before 15th February of the year.
- (9) The Dean of the faculty concerned shall inform the colleges or institutions concerned about their eligibility or ineligibility, on or before 25th February of the year. The eligibility shall be valid for one academic year.
- (10) The colleges or institutions declared ineligible may submit an application for review of the decision to the Vice-Chancellor by 15th March of the year and the Vice-Chancellor shall give his decision on such application, on or before 15th April of the year. The Vice-Chancellor, if required, may ask either the same expert committee or a new expert committee to visit the college or the institution concerned and to submit its report before arriving at any decision.
- (11) The university shall forward to the State Government, the applications approved by the Vice-Chancellor on or before 01st May of the year, with such recommendations duly supported by relevant reasons as are deemed appropriate by the Vice-Chancellor:

Provided that, no applications for establishing or opening any such college or institution of higher learning and starting of any such course of study, subject, faculty or additional division, on the basis of no grants-in-aid from the State Government, shall be forwarded by the university to the State Government.

- (12) Out of the applications recommended by the university, the State Government may grant permission to such institutions as it may consider right and proper in its absolute discretion, taking into account the budgetary resources of the State Government, the suitability of the managements seeking permission to open new colleges or institutions of higher learning and the State level priorities with regard to their locations.
- (13) Notwithstanding anything contained in this Act or any other law for the time being in force, no management shall establish or open a new college or an institution of higher learning in the State or start a new course of study, subject, faculty or additional division on the basis of grants-in-aid from the State Government, except with the prior permission of the State Government.
- (14) The decision of the State Government on the applications recommended by the university shall be communicated to the university on or before 15th June of the year, in which the new college or institution of higher learning

or a new course of study, subject, faculty or additional division is proposed to be started.

- (15) No application shall be directly entertained by the State Government for the grant of permission for starting a new college or institutions of higher learning or a new course of study, subject, faculty or additional division.
- (16) The applications for starting a new course of study, subject, faculty or additional division by existing colleges or institutions of higher learning, shall not be forwarded to the State Government by the university, if-
 - (a) they have not been accredited or re-accredited either from National Assessment and Accreditation Council or National Board of Accreditation;
 - (b) they have not filled up posts of principal or teachers according to the qualifications and norms prescribed by the State Government and the university.

Procedure for affiliation.

87. (1) On receipt of the permission from the State Government, the Vice-Chancellor of the university shall consider grant of first time affiliation to the new college or institution of higher learning or to the new courses of study, subject, faculty or additional division, as the case may be:

Provided however that, permission of the State Government shall not be required to establish or open any new college or institution of higher learning, or start any new course of study, subject, faculty or additional division, on the basis of no grants-in-aid from the State Government.

- (2) The Vice-Chancellor shall decide:-
 - (a) whether affiliation should be granted or rejected;
 - (b) whether affiliation should be granted in whole or part;
 - (c) subjects, courses of study, the number of students to be admitted;
 - (d) conditions, if any, which may be stipulated while granting or for granting the affiliation and the time for compliance of such conditions;

Provided that, the time for compliance of such conditions shall in no case be more than two months:

Provided further that, in case of failure to comply with such conditions within such period, the affiliation granted shall be deemed to have been cancelled and no communication in this regard by the university to the management concerned shall be necessary.

- (3) The decision of the Vice-Chancellor in this regard shall be final and binding.
- (4) The Dean of the faculty concerned shall communicate the decision of the Vice-Chancellor to the management with a copy to the Director of Higher Education, on or before 15th July of the year, in which the new college or institution of higher learning or a new course of study, subject, faculty or additional division is proposed to be started and if the application for affiliation is granted, along with an intimation regarding, –
 - (a) the courses of study, subjects, faculties or additional divisions for which affiliation is granted;
 - (b) the number of students to be admitted:

- (c) the conditions, if any, subject to the fulfillment of which the affiliation is granted and time stipulated for compliance of such conditions..
- (5) No student shall be admitted by the college or institution unless the university has granted the affiliation to the college or institution of higher learning or to a new course of study, subject, faculty or additional division.
88. (1) The management of an institution actively conducting research or specialized studies for a period of not less than five years, and seeking recognition shall apply to the Registrar of the university before the last day of October of the year preceding the year from which the recognition is sought, with full information regarding the following matters, namely:
- (a) the constitution and personnel of the management;
- (b) the subjects and courses of study for which recognition is sought;
- (c) the accommodation, equipment and the number of students for whom provision has been made;
- (d) the staff, permanent, visiting and honorary, of the Institution, recognized for guiding research or recognizable for the purpose by the University; their experience, evidence of research work carried out at the Institution, publications, report, monographs, books published by the Institution;
- (e) the fees levied, or proposed to be levied, and the provisions made for capital expenditure on buildings, equipment and for the continued maintenance and efficient working of the Institution.
- (2) Only those applications complying with the requirements and received within the prescribed time-limit, shall be accepted and considered by the university.
- (3) All such applications shall be scrutinized by the Board of Deans on or before 15th November of the year. The Board of Deans may call for any further information, which it thinks necessary on or before 20th November of the year and shall ask the management to comply with the requirements, on or before 30th November of the year.
- (4) If the Board of Deans decides to consider the application, it shall cause an inspection by a committee of persons having specialized knowledge in the subject or field concerned, for physical verification of all requirements for grant of recognition.
- (5) The committee shall visit the institution on or before 15th January of the year and submit a report thereof to the Board of Deans, with such recommendations duly supported by relevant reasons as are deemed appropriate, on or before 15th February of the year.
- (6) After considering the report of such inquiry, and making such further inquiry, as it may think necessary, the Board of Deans shall submit to the Vice-Chancellor the proposal to grant or reject the application, in part or in whole, with such recommendations duly supported by relevant reasons as are deemed appropriate and the report of the inquiry committee, on or before 15th March of the year.
- (7) The Vice-Chancellor shall after considering the proposal submitted by the Board of Deans, may, either grant or reject it. The decision of the Vice-

Chancellor in this regard shall be final and binding.

- (8) The Dean of the Faculty concerned shall communicate the decision of the Vice-Chancellor to the management with a copy to the Director of Higher Education, on or before 30th June of the year, in which the management desires to seek recognition.

Procedure of recognition of post-graduate centre in an affiliated college .

89. (1) The procedure for granting permission to start a new post-graduate centre in a particular discipline in an affiliated college shall be as follows,-
- (i) the affiliated college desirous of starting a new post-graduate centre in a particular discipline or a new course in an existing post-graduate centre shall apply in the prescribed form with prescribed fees, before 31st July of the year preceding the year from which the permission is sought, with full information regarding the following matters, namely:-
 - (a) a project document justifying the claim of the college with respect of its academic standing in the subject and discipline based on rating of the National Assessment and Accreditation Council or of any other equivalent accreditation body along with the report of such accreditation body;
 - (b) information on its post-graduate recognized teaching staff in the concerned subject or discipline;
 - (c) information on academic infrastructure that includes laboratory, books, journals and information and communication connectivity;
 - (d) information on the academic work carried out in research and development in the concerned subject or discipline;
 - (e) information on the visiting teaching staff that shall be participating in teaching and/or laboratory, projects and other allied academic and/or industry work;
 - (f) the financial feasibility report;
 - (g) number of students to be admitted to apost-graduate course; and
 - (h) any other information required by the university.
 - (ii) The Board of Post-Graduate Education in Colleges shall scrutinize the applications received within the prescribed time limit and documents submitted by the affiliated colleges, and shall inform the colleges, of the discrepancies in the application or documents, on or before 31th August of the year and shall ask them to comply with the requirements, on or before 15th September of the year.
 - (iii) The Board of Post-Graduate Education in Colleges shall scrutinize applications submitted by the affiliated colleges after complying with the discrepancies within the aforesaid prescribed time limit on or before 31st October of the year and if it considers right and proper, it shall appoint an expert committee to cause an inspection for physical verification of all requirements for grant of permission, consisting of the following members, namely:-
 - (a) a senior professor from the university department in the subject concerned, Chairperson;
 - (b) one teacher in the subject concerned from a university department

- of any other university in the State;
- (c) one teacher from the university department in the subject concerned, Member-Secretary.
- (iv) The Expert Committee shall visit the college and shall submit a report thereof with specific recommendations to the Secretary of the Board of Post-Graduate Education in Colleges on or before 31st December of the year.
- (v) The recommendation of the Board of Post-Graduate Education in Colleges on the report of the expert committee shall be placed before the Vice-Chancellor through the faculty concerned.
- (vi) The Vice-Chancellor shall after considering the recommendations of the Board of Post-Graduate Education in Colleges and the faculty concerned, either grant or reject the permission to the affiliated college to start a new post-graduate centre in a particular discipline.
- (vii) The decision of the Vice-Chancellor in the matter shall be final and binding, and shall be communicated to the affiliated college, with reasons therefor. The entire process of grant of permission shall be completed by 30th April of the year from which the permission is sought.
- (viii) In case the Board of Post-Graduate Education in Colleges rejects the application at the stage of scrutiny, it shall be communicated in writing to the affiliated college giving the reasons therefor.
- (2) The permission granted for starting the post-graduate centre shall be valid for a period of five years.
- (3) The post-graduate centre shall provide requisite information to the Internal Quality Assurance Committee each year in the month of September.
- (4) The procedure for continuation of permission to post-graduate centre shall be as follows,-
- (i) The affiliated college may apply for continuation of permission eight months prior to the date of expiry of such permission with comprehensive report on the performance and activities of the post-graduate centre.
- (ii) The Internal Quality Assurance Committee shall analyze the information, carry out an inspection of the post-graduate centre and submit the report to the Vice-Chancellor through the Board of Post-Graduate Education in Colleges and the faculty concerned.
- (iii) The Vice-Chancellor shall take the final decision on the continuation of the post-graduate centre for a further period of five years, which shall be communicated to the affiliated college, with reasons therefor.
- (iv) The entire process of grant of continuation of permission shall be completed by 30th April of the fifth academic year.

- Registrar in the prescribed format, with full information on the programmes run by the private skills education providers and other data as sought in the format, before the last day of October of the year preceding the year from which the recognition is sought.
- (2) Only those applications complying with the requirements and received within the prescribed time-limit, shall be accepted and considered by the university.
 - (3) All such applications shall be scrutinized by the Board of Deans on or before 15th November of the year. The Board of Deans may call for any further information, which it thinks necessary on or before 20th November of the year and shall ask the management to comply with the requirements, on or before 30th November of the year.
 - (4) The Board of Deans after being satisfied with the authenticity of the private skills education providers shall cause an inspection by the committee of experts in skills education, industry and academia, for the purpose of grant of recognition.
 - (5) The committee shall visit the institution on or before 15th January of the year and submit a report thereof to the Board of Deans, with such recommendations duly supported by relevant reasons as are deemed appropriate, on or before 15th February of the year.
 - (6) After considering the report of such inquiry, and making such further inquiry as it may think necessary, the Board of Deans shall submit to the Vice-Chancellor the proposal to grant or reject the application, in part or in whole, with such recommendations duly supported by relevant reasons as are deemed appropriate and the report of the inquiry committee.
 - (7) The Vice-Chancellor shall after considering the proposal submitted by the Board of Deans, may, either grant or reject it and the decision of the Vice-Chancellor in this regard shall be final and binding.
 - (8) The Dean of the Faculty concerned shall communicate the decision of the Vice-Chancellor to the management, on or before 30th June of the year, in which the management desires to seek recognition.
 - (9) The recognition shall be valid for a period of five years. The procedure referred to in sub sections (1) to (10) shall apply *mutatis-mutandis*, for continuation of recognition, from time to time.
 - (10) The recognized private skills education provider shall conduct assessment, declare results and recommend to the university award of certificate, diploma and advanced diploma, and associate degree for different programmes.
 - (11) The management desirous of closing down the institution providing private skills education shall apply to the Registrar on or before the first day of August of the preceding year, stating fully the grounds for closure, and pointing out the assets in the form of buildings and equipment, their original cost, the prevailing market value and the grants so far received by it either from the University Grants Commission, the State Government or from public funding agencies.
 - (12) On receipt of such an application, the Vice-Chancellor shall cause to make enquiries as it may deem fit, to assess and determine whether the private

skills education provider be permitted to effect the closure. The Vice-Chancellor may, examine whether the closure should be avoided by providing necessary assistance or taking over of the institution by the university or transferring it to another management.

- (13) If the Vice-Chancellor decides to recommend the closure, it shall prepare and submit to the Management Council, a report on the extent of damages or compensation to be recovered from the management and whether the assets created utilizing the funds provided by the University Grants Commission, the State Government or other public funding agencies, be transferred to the university or other management, and the payment of compensation to the teachers and the staff retrenched.
- (14) The Vice-Chancellor shall, with prior concurrence of the Management Council, decide whether private skills education provider be permitted the closure.
- (15) The procedure to effect the closure shall be in phase, so as to ensure that the students already admitted to the private skills education provider are not affected, and that the first year shall be closed first and no new admission shall be effected. The procedure to phase out the closure shall be such as may be prescribed.

Recognition to empowered autonomous skills development colleges.

91. (1) The management applying for recognition shall give and comply with the following undertaking:
- (i) that the provisions of the Act and Statutes, Ordinances and Regulations thereunder and the standing orders and directions of the university shall be observed;
 - (ii) that there shall be suitable and adequate physical facilities such as buildings, classrooms with modern delivery facilities, skills development laboratories with necessary equipment if needed, library and knowledge access facilities, information and communication technology connectivity and other facilities as prescribed by the university;
 - (iii) that the financial resources of the college shall be such as to make provision for its continued maintenance and working;
 - (iv) that there shall be core academic and technical staff, as prescribed by the university, and the emoluments and the terms and conditions of service of the staff of the college shall be such as prescribed by the university;
 - (v) that there shall be linkages with the industries or businesses as maybe necessary to give professional experiences and also a panel of experts from industries/businesses which shall work as visiting teachers or trainers as demanded by the various programmes that college intends to run;
 - (vi) that the services of all teaching, visiting teachers or experts, supporting and technical staff and the facilities of the college shall be made available for conducting evaluations, evaluation and for promoting other activities of the university;
 - (vii) that there shall be no change or transfer of the management without

- previous permission of the university;
- (viii) that the college shall not be closed without permission of the university;
- (ix) that in the event of disqualification or de-recognition or closure of the college, the college shall continue to function and discharge its duties till last batch of student's registered for various programmes are trained, assessed or evaluated, their results are declared by the university and they are given appropriate certificate of completion of the program.
- (2) The management of colleges seeking and recognition from the university shall apply to the Registrar of the university in the prescribed format, before the last day of October of the year preceding the year from which the recognition is sought, providing information on the programmes proposed to be conducted in empowered autonomous skills development college, which shall include relevant data on curriculum, delivery process, creation of necessary academic and skills training infrastructure, linkages with appropriate industries or business, faculty and experts with their academic qualifications and domain experiences and other supporting information on assessment of students and the financial details of the college seeking recognition.
- (3) Only those applications complying with the requirements and received within the prescribed time-limit, shall be accepted and considered by the university.
- (4) All such applications shall be scrutinized by the Board of Deans on or before 15th November of the year. The Board of Deans may call for any further information, which it thinks necessary on or before 20th November of the year and shall ask the management to comply with the requirements, on or before 30th November of the year.
- (5) The Board of Deans after being satisfied with the authenticity of the proposal, shall cause an inspection by the committee of experts in skills education, industry and academia for the purpose of grant of recognition.
- (6) The committee shall visit the institution on or before 15th January of the year and submit a report thereof to the Board of Deans, with such recommendations duly supported by relevant reasons as are deemed appropriate, on or before 15th February of the year.
- (7) After considering the report of such inquiry, and making such further inquiry as it may think necessary, the Board of Deans shall submit to the Vice-Chancellor the proposal to grant or reject the application, in part or in whole, with such recommendations duly supported by relevant reasons as are deemed appropriate and the report of the inquiry committee.
- (8) The Vice-Chancellor shall after considering the proposal submitted by the Board of Deans, may, either grant or reject it and the decision of the Vice-Chancellor in this regard shall be final and binding.
- (9) The Dean of the Faculty concerned shall communicate the decision of the Vice-Chancellor to the management, on or before 30th June of the year, in which the management desires to seek recognition.
- (10) The recognition shall be valid for a period of five years. The procedure

referred to in sub sections (1) to (12) shall apply *mutatis-mutandis*, for continuation of recognition, from time to time.

- (11) The recognized empowered autonomous skills development college shall conduct assessment, declare results and recommend to the university award of certificate, diploma and advanced diploma, and associate degree for different programmes.
- (12) The management desirous of closing down the empowered autonomous skills development college shall apply to the Registrar on or before the first day of August of the preceding year, stating fully the grounds for closure, and pointing out the assets in the form of buildings and equipment, their original cost, the prevailing market value and the grants so far received by it either from the University Grants Commission, the State Government or from public funding agencies.
- (13) On receipt of such an application, the Vice-Chancellor shall cause to make enquiries as it may deem fit, to assess and determine whether the empowered autonomous skills development college be permitted to effect the closure. The Vice-Chancellor may, examine whether the closure should be avoided by providing necessary assistance or taking over of the institution by the university or transferring it to another management.
- (14) If the Vice-Chancellor decides to recommend the closure, it shall prepare and submit to the Management Council, a report on the extent of damages or compensation to be recovered from the management and whether the assets created utilizing the funds provided by the University Grants Commission, the State Government or other public funding agencies, be transferred to the university or other management, and the payment of compensation to the teachers and the staff retrenched.
- (15) The Vice-Chancellor shall, with prior concurrence of the Management Council, decide the empowered autonomous skills development college be permitted the closure.
- (16) The procedure to effect the closure shall be in phase, so as to ensure that the students already admitted to the empowered autonomous skills development college are not affected, and that the first year shall be closed first and no new admission shall be effected. The procedure to phase out the closure shall be such as may be prescribed.

Continuation of affiliation or recognition. 92.

- (1) The procedure prescribed in sub-sections (1) to (4) of section 87 shall apply, *mutatis mutandis*, for the consideration of continuation of affiliation, from time to time:

Provided however that, permission of the State Government shall not be required for continuation of affiliation to college or institution of higher learning, or to any course of study, subject, faculty or additional division.

- (2) The procedure prescribed in section 88, for grant of recognition shall apply, *mutatis mutandis*, for the consideration of continuation of recognition.

Extension of affiliation or recognition. 93.

The affiliated college or recognized institution may apply for affiliation or

recognition for additional courses of study. The university shall follow the procedure as prescribed in section 85, 86, 87 and 88 so far as may be applicable.

Permanent affiliation and recognition.

94. The affiliated college or institution or recognized institution with at least five years standing as an affiliated or recognized institution shall apply for permanent affiliation or recognition. The Board of Deans shall consider and scrutinize the applications and make recommendation to the Vice-Chancellor for grant of permanent affiliation or recognition, as the case may be. If the Vice-Chancellor is satisfied that the affiliated college or institution or recognized institution has fulfilled all the conditions of affiliation or recognition satisfactorily, and has attained high academic and administrative standards as prescribed by the university, from time to time, the Vice-Chancellor shall grant permanent affiliation or recognition to the college or institution, as the case may be.

Inspection of colleges and recognized institutions and report.

95. (1) Every affiliated college and recognized institution shall furnish such reports, returns and other particulars as the university may require for enabling it to judge the academic standards and standards of academic administration of the college or recognized institution.
- (2) The Provost shall cause every university department or institution, affiliated college or recognized institution to be inspected, at least once in every three years, by one or more committees appointed by him in that behalf which shall consist of the following members, namely;-
- (a) the Dean of the faculty concerned, Chairperson;
 - (b) one expert, not connected with the university or with any affiliated college or recognized institution under its jurisdiction, nominated by the Academic Council;
 - (c) one expert, to be nominated by the Management Council;
 - (d) one expert to be nominated by the Senate:
- Provided that, no member on such committee shall be connected with the management of college or institution concerned.
- (3) The committee shall submit its report to the Provost for his consideration and for further action as may be necessary.

Shifting of college location.

96. The Management Council of the university shall consider the following points before granting permission for shifting of location, namely:-
- (1) If the college is being shifted from one location to another, permission shall be granted by the university, provided,-
- (a) such shifting of location does not result in disturbing the educational development of the location from where the college is being shifted;
 - (b) such shifting of location does not adversely affect the perspective plan of the university; and
 - (c) infrastructure and other facilities in the new location are adequate as per the prescribed norms.
- (2) If the college is being shifted from an urban to a rural area, permission shall be granted by the university, provided the provisions of clauses (a),

(b) and (c) of sub-section (1) are not violated.

- (3) If the college is being shifted from one location to another in the same Municipal area, permission shall be granted by the university, provided there are adequate infrastructure and other facilities in the new location as per the prescribed norms.
- (4) If the college is being shifted from one location to another for reason of natural calamity, permission shall be granted by the university, provided there are adequate infrastructure and other facilities in the new location as per the prescribed norms.

Transfer of management.

97. The Management Council of the university shall consider the proposals for transfer of management of colleges and institutions. The decision of the Management Council in this regard shall be final and binding.

Withdrawal of affiliation or recognition.

98.
 - (1) If an affiliated college or recognized institution fails to comply with the conditions of affiliation or recognition as provided in section 85 or to allow the College Development Committee as provided in sub-section (6) of section 79 to function properly or to take action as per directions issued under the Act, or if it is conducting the college or recognized institution in a manner prejudicial to the interest of the university or the standards laid down by it, the Board of Deans may issue a notice to the management to show cause as to why the privileges conferred on the college or recognized institution by affiliation or recognition should not be withdrawn in part or in whole or modified.
 - (2) The Board of Deans shall mention the grounds on which it proposes to take the abovementioned action and shall send a copy of the notice to the principal of the college, or head of recognized institution. It shall also specify in the notice, the period being a period which shall not be less than thirty days within which the management should file its written statement in reply to the notice.
 - (3) On receipt of such written statement or on expiry of the period specified in the notice issued under sub-section (1), the Board of Deans shall place before the Vice-Chancellor, the notice and the written statement, if any, with or without the motion for withdrawal or modification of such privileges.
 - (4) The Vice-Chancellor shall having regard to the interest of students studying in the colleges or recognized institutions, shall take an action in this behalf.

Closure of affiliated college or recognized institution.

99.
 - (1) No management of an affiliated college or recognized Institution shall be allowed to close down the affiliated college or recognized Institution without prior permission of the State Government.
 - (2) The management desirous of closing down the college or recognized institution shall apply to the university on or before the first day of August of the preceding year, stating fully the grounds for closure, and pointing out the assets in the form of buildings and equipment, their original cost, the prevailing market value and the grants so far received by it either from

the University Grants Commission, the State Government or from public funding agencies.

- (3) On receipt of such an application, the Vice-Chancellor shall cause to make inquiries as it may deem fit, to assess and determine whether the affiliated college or recognized institution be permitted to effect the closure. The Vice-Chancellor may examine whether the closure should be avoided by providing necessary assistance or taking over of the college or institution by the university or transferring it to another management.
- (4) If the Vice-Chancellor decides to recommend the closure, it shall prepare and submit to the Management Council, a report on the extent of damages or compensation to be recovered from the management and whether the assets created utilizing the funds provided by the university Grants Commission, the State Government or other public funding agencies, be transferred to the university or other management, and the payment of compensation to the teachers and the staff retrenched.
- (5) The Vice-Chancellor shall, with prior concurrence of the Management Council and approval of the State Government then decide whether the affiliated college or recognized institution be permitted the closure.
- (6) The university may take over a college or a recognized institution or transfer the same to another management with prior approval of the State Government and after following the procedure prescribed in that behalf.
- (7) The procedure to effect the closure shall be in phases, to ensure that the students already admitted to the affiliated college or recognized institution is not affected, and that the first year shall be closed first and no new admissions shall be effected. The procedure to phase out the closure shall be such as may be prescribed.
- (8) The procedure for closure of affiliated colleges, or recognized institutions, referred to in sub-sections (1) to (7) shall *mutatis-mutandis* applies for closure of faculties or subjects.

Autonomous university
department or institution, college
or recognized institution.

100. (1) A university department or institution, affiliated college or recognized institution may apply to the university for grant of autonomous status. The Management Council on the recommendation of the Academic Council may confer the autonomous status.
- (2) Autonomous university department or institution or affiliated college or recognized institution shall function with the objectives of promoting academic freedom and scholarship on the part of teachers and students which are essential to the fostering and development of an intellectual climate conducive to the pursuit of scholarship and excellence.
- (3) The autonomous university department or institution or affiliated college or recognized institution, may constitute its authorities or bodies and exercise the powers and perform the functions and carry out the administrative, academic and other activities of the university, as may be prescribed by the Statutes.
- (4) The autonomous university department or institution or affiliated college or recognized institution may prescribe its own courses of study, evolve its own teaching methods and hold examinations and tests for students

receiving instruction in it, and award degrees or certificates jointly with the university, after following the procedure as prescribed in the Statutes. The autonomous university department or institution or affiliated college or recognized institution shall have full academic, administrative and financial autonomy subject to the provisions of this Act and Statutes and the guidelines issued by the University Grant Commission, from time to time.

- Empowered autonomous colleges. 101. (1) Affiliated colleges that are identified by University Grants Commission as colleges with Potential for Excellence in teaching or having 'A' grade with Cumulative Grade Point Average 3.0 or above, may apply to the university for grant of empowered autonomous status. The Management Council on the recommendation of the Academic Council may confer the empowered autonomous status upon the college.
- (2) Norms and procedure for grant of empowered autonomous status and continuation thereof, shall be as may be prescribed by the Statutes.
- (3) The empowered autonomous college may constitute its authorities or bodies and exercise the powers and perform the functions and carry out the administrative, academic financial and other activities of the university, as may be prescribed by the Statutes.

- Empowered autonomous cluster institutions. 102. (1) A group of affiliated colleges or recognized institutions of the same management or educational society which includes the colleges or institutions identified by University Grants Commission as colleges with Potential for Excellence in teaching or having 'A' grade with Cumulative Grade Point Average 3.0 or above, may apply to the university for Grant of status of empowered autonomous cluster institutions. The Management Council on the recommendation of the Academic Council may confer the status of empowered autonomous cluster institutions upon such group of colleges or institutions.
- (2) Norms and procedure for grant status of empowered autonomous cluster institutions and continuation thereof, shall be as may be prescribed by the Statutes.
- (3) The empowered autonomous cluster institutions may constitute its authorities or bodies and exercise the powers and perform the functions and carry out the administrative, academic financial and other activities of the university, as may be prescribed by the Statutes.

CHAPTER XI

ENROLMENT, DEGREES AND CONVOCATIONS

- Post-graduate teaching and research. 103. All post-graduate instruction, teaching, training, research, research collaborations and partnerships, shall normally be conducted within the university area by the university, affiliated colleges and the recognized

institutions and in the manner prescribed.

Enrolment of students.

104. A person to be enrolled as student of the university shall possess such qualifications and fulfill such conditions as may be prescribed.

Disciplinary powers and discipline amongst students.

105. (1) All powers relating to discipline and disciplinary action in relation to the students of the university departments and institutions and colleges maintained by the university, shall vest in the Provost.

(2) The Provost may, by order, delegate all or any of his powers under the Act as he deems fit, to such other officer as he may nominate in that behalf.

(3) The Provost may, in the exercise of his powers, by order, direct that any student or students be expelled or rusticated for a specified period, or be not admitted to a course or courses of study in conducted college, institution or department of the university for a specified period, or be punished with fine, as prescribed by the university, or be debarred from taking an examination or evaluation conducted by the department, conducted college or institution maintained by the university for a specified period not exceeding five years or that the result of the student or students concerned in the examination or evaluation in which he or they have appeared, be cancelled:

Provided that, the Provost shall give reasonable opportunity of being heard to the student concerned, if expulsion is for a period exceeding one year.

(4) Without prejudice to the powers of the Provost, the principals of conducted colleges, heads of university institutions and the heads of departments of the university shall have authority to exercise all such powers over the student in their respective charge as may be necessary for the maintenance of proper discipline.

(5) Rules of discipline and proper conduct for students of the university and the action to be taken against them for breach of discipline or misconduct, shall be as may be prescribed by the Statutes, which shall apply to the students of all its conducted colleges and university departments or institutions, affiliated colleges and recognized institutions.

(6) Statutes relating to discipline and proper conduct for students, and the action to be taken against them for breach of discipline or misconduct, shall also be published in the prospectus of the university, affiliated college or recognized institution and every student shall be supplied with a copy of the same. The principals of the colleges and heads of the institutions, maintained by the university, may, make such supplementary rules of discipline and proper conduct, not inconsistent with the Statutes, as they think necessary and every student shall be supplied with a copy of such supplementary rules.

(7) At the time of admission, every student shall sign a declaration to the effect that he submits himself to the disciplinary jurisdiction of the Provost and the other officers and authorities or bodies of the university

and the authorities or bodies of the conducted colleges, affiliated colleges and recognized institutions, and shall observe and abide by the Statutes made in that behalf and in so far as they may apply, the supplementary rules made by the principals of conducted colleges and heads of university institutions.

- (8) All powers relating to disciplinary action against students of an affiliated college or recognized institution not maintained by the university, shall vest in the principal of the affiliated college or head of the recognized institution, and the provisions of the foregoing sub-section including the Statutes made thereunder, shall *mutatis-mutandis* apply to such colleges, institutions and students therein.

Degrees, diplomas, certificates and other academic distinctions.

106. (1) The Management Council may institute and confer such degrees, diplomas, certificates and other academic distinctions as may be recommended by the Academic Council.
- (2) The Vice-Chancellor may, on the recommendation of the Management Council and the Academic Council, supported by a majority of not less than two-third members of each such authority, present at its meeting, such majority comprising not less than one-half of members of each such authority, withdraw the degree or diploma or certificate or any other academic distinction permanently or for such period as the Vice-Chancellor thinks fit, if such a person is convicted by a court of law for any offence involving moral turpitude or has been found to have sought admission to any degree or diploma or certificate course by fraudulent means or has been found to have obtained such degree or diploma or certificate or any other academic distinction by fraudulent means. No such action under this section shall be taken unless the person concerned is given an opportunity to defend himself.

Honorary Degree.

107. (1) The Management Council may consider and recommend to the Senate the conferment of an honorary degree or other academic distinction on any person, without requiring him to undergo any test or examination or evaluation, on the ground solely that he, by reason of his eminent position, attainments and public service, is a fit and proper person to receive such degree or other academic distinction, and such recommendation shall be deemed to have been duly passed if supported by a majority of not less than two-thirds of the members present at the meeting of the Senate, being not less than one-half of its total membership:

Provided that, the Management Council shall not entertain or consider any proposal in that behalf without the Vice-Chancellor having obtained the previous approval of the Chancellor.

- (2) The Management Council may take a decision on the proposal of the Senate, provided that the Senate shall not entertain or consider any proposal in that behalf without the Vice-Chancellor having obtained prior approval of the Chancellor.

Convocation.

108. The convocation of the university shall be held at least once during an academic year in the manner prescribed by the Statutes for conferring degrees, post-graduate diplomas or for any other purpose.

Registered graduates.

109. (1) Subject to the provisions of sub-section (2), the following persons shall be entitled to have their names entered in the register of registered graduates or deemed to be registered graduates, maintained by the university, namely :-

(a) who are graduates of the university;

(b) who are graduates of the parent university from which corresponding new university is established:

Provided that, the graduates registered in the parent university as registered graduates but residing in the jurisdiction of the new university will have to apply for registration, as registered graduates, to the new university and once registered with the new university, they will automatically cease to be the registered graduates of the parent university.

(2) A person who –

(a) is of unsound mind and stands so declared by a competent court;

(b) is an un-discharged insolvent;

(c) is convicted for an offence involving moral turpitude;

(d) is a registered graduate of any other university established by law in the State of Maharashtra, shall not be qualified to have his name entered in the register of graduates, or be a registered graduate.

(3) Every person who intends to be registered graduate shall make an application to the Registrar in such form and make payment of such fees as are prescribed by the Statutes.

(4) The Vice-Chancellor shall, after making such inquiry as he thinks fit, decide whether the person is entitled to be a registered graduate. If any question arises whether a person is entitled to have his name entered in the register of graduates or be a registered graduate or is not qualified to be a registered graduate, it shall be decided by the Vice-Chancellor after making such inquiry as he thinks fit and his decision shall be final.

(5) From amongst the person registered as registered graduates, an electoral college shall be constituted for election of members of the Senate under clause (r) of sub-section (2) of section 27, and for that purpose, an electoral roll shall be prepared as prescribed by publishing a public notice, requiring the registered graduates desirous of enrolling themselves in such electoral roll to fill in the prescribed form for such enrolment.

Removal of name from register of graduates.

110. (1) The Vice-Chancellor may, on the recommendation of the Management Council, supported by a majority of not less than two-third of its members present at its meeting, such majority comprising not less than one-half of its members, remove the name of any person from the register of graduates for such period as the Vice-Chancellor thinks fit, if such person has been convicted by a court for any offence which, in the

opinion of the Management Council, is a serious offence involving moral turpitude.

- (2) No action under this section shall be taken unless the person concerned is, as prescribed by the Statutes, given an opportunity of being heard in his defense.

CHAPTER XII

UNIVERSITY FUNDS, ACCOUNTS AND AUDIT

Annual financial estimates.

111. (1) The annual financial estimates (budget) of the university for ensuing financial year shall be prepared by the Finance and Accounts Officer under the direction of the Finance and Accounts Committee, at least two months before the commencement of the financial year.
- (2) The Finance and Accounts Officer shall thereafter forward copies of annual financial estimates as approved by the Management Council and Senate to the Chancellor, Maharashtra State Commission for Higher Education and Development and the State Government.
- (3) The Financial year of the university shall be the same as that of the State Government.

University funds.

112. (1) The university shall establish the following funds, namely :-
- (a) general fund ;
 - (b) salary fund;
 - (i) for all posts approved by the State Government only;
 - (ii) for all other posts separately;
 - (c) trust fund;
 - (d) development and programme fund;
 - (e) contingency fund;
 - (f) any other fund which, in the opinion of the university, is deemed necessary to establish.
- (2) The following shall form part of, or be paid into, the general fund :
- (a) non-salary contribution or grant, received from the State Government or Central Government or University Grants Commission ;
 - (b) all incomes of the university from any source whatsoever, including income from fees and charges;
 - (c) any sums borrowed from the banks or any other agency, with the permission of the State Government;
 - (d) sums received from any other source or agency.
- (3) The salary fund shall consist of all amounts received from the State Government, Central Government or University Grants Commission or any other endowment or contribution received towards full or part payment of the salary and allowances. No amount from this fund shall be utilized for the purpose other than payment of salary and allowances.
- (4) All income or monies from trusts, bequests, donations, endowments,

subventions and similar grants shall form part of the trust fund.

- (5) (a) The development and programme fund of the university shall consist of all infrastructure development grants received from the State Government, all contributions made by the University Grants Commission for development and research grants received from other funding agencies of the Central Government, United Nations and its affiliates, other international agencies, industry, banks and financial institutions or any person or institution,
 - (b) no amount from this fund shall be appropriated to any other fund of the university or expended for any other purpose ;
 - (c) the development and programme fund shall be utilized in the manner consistent with the object of the programme and as per guidelines of the funding agency on expenditure and audit, to be granted and approved by the Management Council.
- (6) The university shall have and maintain a contingency fund under a separate head of the university accounts which shall be used only for the purpose of meeting any unforeseen expenditure.
 - (7) Surplus money at the credit of these funds, including accruals thereto, which cannot immediately or at any early date be applied for the purposes aforesaid, shall from time to time, be deposited in the Nationalized or Scheduled Banks or invested in any other Equity or securities issued by the Corporations having financial participation of the State Government or in units of U.T.I., N.S.C., Bonds issued by I.D.B.I. and I.C.I.C.I. or investment approved by the Management Council.

Annual accounts and Audit.

113. (1) The accounts of the university shall be audited at least once every year and in any case within six months of the close of the financial year by the auditors appointed by the Management Council from amongst the firms of chartered accountants whose partners have no interest in any of the authorities or affairs of the university.
- (2) The audited accounts shall be published by the university and a copy thereof, together with the copy of the auditors report shall be submitted to the Chancellor and the State Government within one year of the close of the financial year.
- (3) The State Government may conduct the test audit or full audit of the accounts of the university at regular intervals by the auditors appointed by the State Government.

Annual Report.

114. The Annual report of the university shall be prepared and published by the university and such report as approved by the Management Council shall be submitted to the Chancellor, the State Government and Senate within one year of the close of the financial year. The Senate may consider the annual report in its meeting and may make recommendations as it deems fit. The Management Council shall take appropriate action on the recommendations of the Senate and report the action taken to the Senate.

CHAPTER XIII

SPECIAL PROVISIONS FOR SHREEMATI NATHIBAI DAMODAR THACKERSEY WOMEN'S UNIVERSITY

Special provisions for Shreemati Nathibai Damodar Thackersey Women's University.

115. (1) In addition to the other provisions of this Act and Statutes, the provisions set out in this section shall apply to the Shreemati Nathibai Damodar Thackersey Women's University.
- (2) The territorial limits, within which the powers conferred upon the university by this Act shall be exercised, shall comprise the State of Maharashtra:
Provided that, the university may, subject to such conditions and restrictions as it and the State Government may think fit to impose, admit any women's educational institution in any other territory to the privileges of the university, with the approval of the Government concerned.
- (3) Any female student from any part of the State of Maharashtra or any other territory may register as a private student of the university or join correspondence course or any other external degree or diploma course of the university.
- (4) Any society, association or body in the State of Maharashtra seeking affiliation or recognition by the university to the college or institution started or conducted by it exclusively for women students need not seek the permission of any other university in the area of which the college or the institution, as the case may be, is to be or is located. On an application of any such society or association or body, the university may, notwithstanding anything contained in any other law for the time being in force, grant the affiliation, with the previous sanction of the State Government, or the recognition, as the case may be, without seeking permission of any other university in the area of which the college or institution, as the case may be, is to be or is located.
- (5) The university may, in the interest of women's education, start or conduct a college or research institution in any territory outside the State of Maharashtra, with the approval of the Government concerned.
- (6) No educational institution affiliated to or recognized by the university shall be associated in any way with, or seek admission to any privileges of, any other university established by law, except, with the permission of the university and the State Government.
- (7) The Senate of this university shall have the following additional members, namely:-
- (a) two representatives of women's educational associations or bodies in the State of Maharashtra, nominated by the Vice-Chancellor;
 - (b) two representatives of women's educational associations or bodies from outside the State of Maharashtra admitted to the privileges of the Shreemati Nathibai Damodar Thackersey Women's University, nominated by the Vice-Chancellor;
 - (c) one representative of women's educational associations or bodies in other territories, nominated by the Vice-Chancellor.
- (8) The university shall have powers to draw up Statutes or Ordinances or

Regulations or to undertake other activities, such as running schools, polytechnics, etc.

- (9) No member of the Board of Examinations and Evaluations or the Committees of the university shall be appointed as paper setter, examiner, moderator or referee except with the written approval of the Board under exceptional circumstances to be recorded in writing.

CHAPTER XIV

MISCELLANEOUS

Authorities and officers responsible for damages.

116. (1) It shall be the duty of every authority or body and officer of the university to ensure that the interests of the university are duly safeguarded.
- (2) If it is found that a damage or loss has been caused to the university by any action on the part of any authority or body or officer of the university not in conformity with the provisions of this Act, Statutes, Ordinances or Regulations, except when done in good faith, or any failure so as to act in conformity thereof, by willful neglect or default on its or his part, such damage or loss shall be liable to be recovered from the authority or body or the concerned members thereof, jointly or severally, or from the officer concerned, as the case may be, in accordance with the procedure prescribed by the Statutes.

Membership of State Legislature and of Parliament.

117. (1) A teacher shall not be disqualified for continuing as such teacher merely on the ground that he has been elected or nominated as a member of the Legislative Assembly or of the Legislative Council of the State or of Parliament.
- (2) A teacher elected or nominated as a member of the Legislative Assembly or of the Legislative Council of the State, or of Parliament shall be entitled to treat the period of his membership of the Legislative Assembly or of the Legislative Council or of Parliament as on leave without salary and allowances.
- (3) A teacher referred to in sub-section (2) shall also be entitled to count the period of his membership of the Legislative Assembly or of the Legislative Council or of Parliament for the purposes of pension, seniority and increments.

Questions regarding interpretation and disputes regarding constitution of university authority or body, etc.

118. If any question arises regarding the interpretation of any provision of this Act, or of any Statutes, Ordinance, Regulation or Rule, or whether a person has been duly elected or appointed or nominated or co-opted as or is entitled to be a member of any authority or body of the university, the matter may, be referred, on petition by any person or body directly affected or *suo-motu* by the Vice-Chancellor to Chancellor, who shall after taking such advice as he thinks necessary, decide the question, and his decision shall be final.

Protection of acts and orders.

119. All acts and orders done or passed in good faith by the university or any of its officers, authorities or bodies, shall subject to the other provisions of this Act, final; and accordingly, no suit or other legal proceedings shall be instituted against, or maintained, or damages claimed from the university or its officers, authorities or bodies for anything done or passed, or purporting to have been done or passed in

good faith and in pursuance of the provisions of this Act and the Statutes, Ordinances and Regulations.

- Delegation of powers. 120. Subject to the provisions of this Act and the Statutes, any officer or authority of the university may, by order, delegate his or its powers, except the power to make Statutes, Ordinances and Regulations to any other officer or authority under his or its control, and subject to the condition that the ultimate responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating them.
- Acts and proceedings not invalid merely on ground of defect in constitution, vacancies, irregularity in procedure, etc. 121. No act or proceeding of the Senate or the Management Council or Academic Council or any other authority or any body or committee of the university including a committee appointed by the Chancellor for the appointment of a Vice-Chancellor shall be deemed to be invalid at any time merely on the ground that —
- (a) any of the members of any such authority, body or committee are not elected, appointed, nominated or co-opted or for any other reason are not available to take office at the time of the constitution or to attend any meeting thereof or any person is a member in more than one capacity or there is any other defect in the constitution thereof or there are one or more vacancies in the offices of members thereof;
 - (b) there is any irregularity in the procedure of any such authority, body or committee not affecting the merits of the matter under consideration, and the validity of such act or proceeding shall not be questioned in any court or before any authority or officer merely on any such ground.

CHAPTER XV

ESTABLISHMENT OF NEW UNIVERSITIES

- Issue of order or order providing for matters when a new university is constituted. 122. When any new university is constituted by a notification in the Official Gazette under sub-section (2) of section 3, the Maharashtra State Commission for Higher Education and Development may, notwithstanding anything contained in this Act, by one or more orders published in the Official Gazette, provide for all or any of the following matters, namely:-
- (a) appointment of the first Vice-Chancellor and other officers of the university and the term for which they shall be appointed;
 - (b) constitution of the first Management Council and Academic Council in such manner as it thinks fit and the term for which it shall function;
 - (c) continuance or application of such Statutes, Ordinances, Regulations and Rules with such modifications as it may specify;
 - (d) exercise of option by the registered graduates of any of the then existing universities to continue to remain registered graduates of the same university or to get registered with the new university ;
 - (e) continuance or discontinuance of membership of the Management Council, the Academic Council and other authorities, bodies and committees of the existing universities constituted under the Act;

- (f) filling in the vacancies caused by discontinuance of the members of authorities or bodies or committees of the existing university;
- (g) continuance of affiliation of colleges or recognition of institutions by the new university to which the area is added and discontinuance of the same by the existing university from which the area is carved out;
- (h) transfer of any of the employees of the existing university to the new university and the terms and conditions applicable to such employees or termination of the service of the employees of the existing university by giving such terminal benefits as the Maharashtra State Commission for Higher Education and Development deems fit:
Provided that, the terms and conditions of service of any employees so transferred shall not be varied to his disadvantage;
- (i) transfer of assets, that is to say, property, movable or immovable, right, interest of whatsoever kind acquired, and the liabilities and obligations incurred, before the issue of any such order; and
- (j) such other supplemental, incidental and consequential provisions as the Maharashtra State Commission for Higher Education and Development may deem necessary.

CHAPTER XVI

TRANSITORY PROVISION

Continuance of existing officers and employees of university.

123. Save as otherwise provided by or under this Act, every person holding office either as an officer or the employee, whether teaching or other employee, of any university on the date immediately before the commencement of this Act shall continue to hold office on the same terms and conditions as were applicable to him immediately before such date, and shall exercise such powers and perform such duties as are conferred on them by or under this Act.

Constitution of authorities.

124. (1) Every authority of the university shall, as soon as, practicable, but within a period of six months from the date of commencement of this Act, be reconstituted in accordance with the provisions of this Act. Every such authority shall be deemed to be reconstituted with effect from such date as the Vice-Chancellor may, from time to time, specify by notification.
- (2) Every person holding office as a member of any such authority immediately before the commencement of this Act shall, on the date of such commencement, continue to hold the said office and the authority with such members shall exercise the powers and perform the duties conferred on it by or under this Act, until the date on which the authority is deemed to be reconstituted or the period of six months referred to in sub-section (1) expires, whichever is earlier.
- (3) On the date on which any authority is deemed to be reconstituted or on which the period of six months expires, whichever is earlier, every member of an authority of the university who is continued in office under this section shall be deemed to have vacated his office.

125. (1) On and from the date of commencement of this Act, the Maharashtra Universities Act, 1994 shall stand repealed.
- (2) Notwithstanding the repeal of the said Act,
- (a) any person holding office immediately before the commencement of this Act as Vice-Chancellor of the university shall, or such commencement, continue to hold the said office till his term of office as Vice-Chancellor of that university would have expired had he continued to be as such unless he ceases to be the Vice-Chancellor by reason of death, resignation or otherwise before the expiry of his term of office as aforesaid and shall exercise all the powers and perform all the duties conferred and imposed on the Vice-Chancellor of the respective university by or under this Act;
 - (b) all colleges which stood affiliated to any university immediately before the commencement of this Act, shall be deemed to be affiliated to university under this Act till their affiliation is withdrawn by the respective university under this Act;
 - (c) all other educational institutions which were entitled to any privileges of any university shall be entitled to similar privileges of the respective university;
 - (d) all property, movable or immovable, and all rights, interest of whatsoever kind, powers and privileges of any university shall stand transferred to and shall, without further assurance, vest in, the respective university and be applied to the objects and purposes for which the respective university is constituted;
 - (e) all benefactions accepted or received by any university and held by it immediately before the commencement of this Act, shall be deemed to have been accepted or received or held by the respective university under this Act, and all the conditions on which such benefactions were accepted or received or held shall be deemed to be valid under this Act, notwithstanding that such conditions may be inconsistent with any of the provisions of this Act;
 - (f) all debts, liabilities and obligations incurred before the commencement of this Act, and lawfully subsisting against any university, shall be discharged and satisfied by the respective university;
 - (g) any will, deed or other document made before the commencement of this Act, which contains any bequest, gift, term or trust in favour of any university shall be deemed to have been made under and for the purposes of this Act in favour of the respective university;
 - (h) all references in any enactment or other instruments issued under any enactment to any university before the commencement of this Act, shall be deemed to have been construed under and for the purposes of this Act;
 - (i) the appointment of examiners validly made under the said Act and subsisting immediately before the commencement of this Act, shall be deemed to have been made under and for the purposes of this Act for the respective university, and such examiners shall continue to hold office and to act until fresh appointments are made under this Act;
 - (j) the teachers, who were recognized teachers of any university under the said Act immediately before the commencement of this Act, shall be deemed to

be recognized teachers of the respective university under and for the purposes of this Act and shall continue to be such recognized teachers until fresh recognitions are granted under this Act;

- (k) the registered graduates, whose names were entered in the register of graduates maintained by any university immediately before the commencement of this Act, shall be deemed to be registered graduates of the respective university under and for the purposes of this Act and the register so maintained and the registered graduates whose names are so entered therein, shall continue to be the register maintained by the respective university, and the registered graduates to be the registered graduates of the respective university;
- (l) all Statutes and Ordinances made under the said Act in respect of any university shall, in so far as they are not inconsistent with the provisions of this Act, continue in force and be deemed to have been made under this Act in respect of by the respective university, until they are superseded or modified by the Statutes or Ordinances, as the case may be, made under this Act;
- (m) all Regulations and Rules made by the Management Council the Academic Council or the faculties or other authorities of any university shall, in so far as they are not inconsistent with the provisions of this Act, continue in force and be deemed to have been made under this Act by the respective university, until they are superseded or modified by the Regulations, made under this Act;
- (n) all notices and orders made or issued by any authority under the said Act shall, in so far as they are not inconsistent with the provisions of this Act, continue in force and be deemed to have been made or issued by that authority until they are superseded or modified under this Act;
- (o) the Tribunal constituted under the said Act and existing on the date of commencement of this Act shall continue to function as such under this Act and all the disputes or matters or appeals pending before such Tribunal shall be dealt with and disposed of by such Tribunal:

Provided that, no Statutes, Ordinances, Regulations, Rules, Notices or orders made or issued under the said Act repealed by this section and in force immediately before the commencement of this Act, shall be deemed to be inconsistent with the provisions of this Act by reason only that the power to make or issue such Statute, Ordinance, Regulation, Notice or Order under this Act vests in a different authority or body or officer, or that the subject matter thereof is permissible only under a different form of subordinate legislation or instrument to be made, under this Act.

Removal of difficulties. 126.

If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion requires, but not later than two years from the date of commencement of this Act, by order, do anything, not inconsistent with the objects and purposes of this Act, which appears to it to be necessary or expedient for the purpose of removing the difficulty.

SCHEDULE

PART I

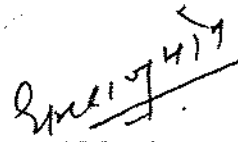
[See section 3(1) and 6(1)]

S.No.	Name of the University	University Area
1.	The University of Mumbai, Mumbai	Districts of – 1) City of Mumbai 2) Mumbai Suburban 3) Raigad 4) Thane 5) Ratnagiri 6) Sindhudurg
2.	The Savitribai Phule Pune University, Pune	Districts of – 1) Pune 2) Ahmednagar 3) Nashik
3.	The Shivaji University, Kolhapur	Districts of – 1) Kolhapur 2) Sangli 3) Satara
4.	The Dr. Babasaheb Ambedkar Marathwada University, Aurangabad	Districts of – 1) Aurangabad 2) Jalna 3) Beed 4) Osmanabad
5.	The Rashtra Sant Tukdoji Maharaj University, Nagpur	Districts of – 1) Nagpur 2) Bhandara 3) Gondia 4) Wardha
6.	The Shreemati Nathibai Damodar Thackersey Women's University, Mumbai	The State of Maharashtra
7.	The Sant Gadge Baba University, Amravati	Districts of – 1) Amravati 2) Akola 3) Buldhana 4) Yavatmal 5) Washim
8.	The North Maharashtra University, Jalgaon	Districts of – 1) Jalgaon 2) Dhule 3) Nandurbar

9. The Swami Ramananda Teerth Marathwada University, Nanded	Districts of – 1) Nanded 2) Parbhani 3) Latur 4) Hingoli
10. The Solapur University, Solapur	District of Solapur
11. The Gondwana University, Gadchiroli	Districts of – 1) Gadchiroli 2) Chandrapur


PART II
[See section 3(2)]

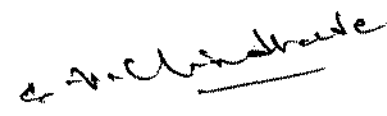
Name of the New University (1)	University Area (2)


(Dr. Dhanraj Mane)


(S. K. Mali)


(Parveen Sayyed)


(D.B. Bharad)


(S.V. Chindhade)