

# The Gujarat Government Gazette

## EXTRAORDINARY

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#### PART IV

#### Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 3<sup>rd</sup> April, 2007 is hereby published for general information.

**H. D. VYAS,**

Secretary to the Government of Gujarat,  
Legislative and Parliamentary Affairs  
Department

#### GUJARAT ACT NO.14 OF 2007.

(First published, after having received the assent of the Governor in the “Gujarat Government Gazette”, on the 4<sup>th</sup> April, 2007).

#### *AN ACT*

To provide for establishment of the “Pandit Deendayal Petroleum University” in the State and to confer the status of a University and for matters connected therewith and incidental thereto.

It is hereby enacted in the Fifty-eighth year of the Republic of India as follows :-

**1. Short Title and Commencement.-**

- (1) This Act may be called the Pandit Deendayal Petroleum University Act, 2007.
- (2) This section shall come into force at once and the remaining provisions shall come in to force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

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

- (i) “Academic Council” means the Academic Council of the University constituted under section 15;
- (ii) “Board” means the Board of Governors of the University constituted under section 11;
- (iii) “Chairman” means the Chairman of the Board;
- (iv) “Deans” means the Deans of the University appointed under section 23;
- (v) “Directors” means the Directors of the Institutes or the Centres of the University appointed under section 22;
- (vi) “Director General” means the Director General of the University appointed under section 19;
- (vii) “Finance Committee” means the Finance Committee of the University constituted under section 17;
- (viii) “President” means the President of the University appointed under section 8;
- (ix) “prescribed” means prescribed by regulations;
- (x) “Registrar” means the Registrar of the University appointed under section 21;

- (xi) “Regulations” means the regulations of the University made under section 36;
- (xii) “Society” means the Gujarat Energy Research Management Institute registered under the Societies Registration Act, 1860 and the Bombay Public Trust Act, 1950;
- (xiii) “University” means the Pandit Deendayal Petroleum University established and incorporated under section 3;

XXI of 1860.  
Bom. 29 of 1950.

**3. *Establishment and Incorporation of University.* –**

- (1) There shall be established a University by the name of The Pandit Deendayal Petroleum University.
- (2) The President, the Board, the Academic Council, the Director General, the Directors, the Deans, the Registrar and all other persons who may hereafter become such officers or members so long as they continue to hold such office or membership, hereby constitute a body corporate by the name of the Pandit Deendayal Petroleum University.
- (3) The University shall function as a non-affiliating University and it shall not affiliate any other college or institute for the conferment of degree, diploma and certificate to the students admitted therein.
- (4) The University shall be a body corporate by the name aforesaid, having perpetual succession and common seal with power, subject to the provisions of this Act, to acquire and hold property, to contract and shall, by the said name, sue or be sued.

**4. *Headquarters of University.-***

The headquarters of the University shall be at such place as the State Government may, by notification in the *Official Gazette*, specify.

**5. *Objects of University.-***

The objects of the University shall be as follows, namely:-

- (a) to develop the knowledge of science, technology, management and environment for the advancement of quality of life of the mankind in general and in relation to the domains of gas, oil and energy in particular;
- (b) to create centres and institutions of excellence for imparting state-of-the-art education, training and research in the fields of science, technology and management in general and in relation to the domains of gas, oil and energy in particular;
- (c) to create capabilities for development of knowledge, skills and competencies at various levels;
- (d) to create capabilities for upgrading the infrastructure of global standard for education, training and research in the areas related to gas, oil and energy;
- (e) to develop patterns of teaching and training at various levels of educational accomplishment so as to set a high standard of education in science, technology and management in relation to the domains of gas, oil and energy;

- (f) to function as a leading resource center for knowledge management and entrepreneurship development in the areas of science, technology and management in relation to the domains of gas, oil, and energy;
- (g) to provide inter-relationship for national and global participation in the fields of science, technology and management in relation to the domains of gas, oil, energy and allied fields; and
- (h) to establish close linkages with industries to make teaching, training and research at the University relevant to the needs of the society, at national and global levels.

6. ***University open to all irrespective of sex, religion, class, creed or opinion.-***

- (1) No person shall be excluded from any office of the University or from membership of any of its authorities, bodies or committees, or from admission to any degree, diploma or other academic distinction or course of study on the sole ground of sex, race, creed, caste, class, place of birth, religious belief or political or other opinion.
- (2) It shall not be lawful for the University to impose on any person any test whatsoever relating to sex, race, creed, caste, class, place of birth, religious belief or profession of political or other opinion in order to entitle him to be admitted as a teacher or a student or to hold any office or post in the University or to qualify for any degree, diploma or other academic distinction or

to enjoy or exercise any privilege of the University or any benefaction thereof.

7. ***Powers and Functions of University.-***

Subject to the provisions of this Act, the University shall exercise the following powers and perform the following functions, namely: -

- (i) to administer and manage the University and to establish such Institutes and Centers for research, education and instruction as are necessary for the furtherance of the objects of the University;
- (ii) to provide for instruction, training and research in such branches of knowledge or learning pertaining to science, technology and management in relation to the domains of gas, oil, energy and allied areas;
- (iii) to conduct innovative experiments in new methods and technologies in the field of science, technology and management in relation to the domains of gas, oil and energy in order to achieve international standards of such education, training and research;
- (iv) to prescribe curricula and provide for flexibility in the education systems and delivery methodology including electronic and distance learning;
- (v) to hold examinations and confer degrees, diplomas or grant certificate and other academic distinction or title on persons subject to such conditions as the University may determine, and to withdraw or cancel any such degrees, diplomas, certificates,

- or other academic distinctions or titles in the prescribed manner;
- (vi) to confer honorary degrees or other distinctions in the prescribed manner;
  - (vii) to establish such special centers, specialized study centers or other units for research and instruction as in the opinion of the University, necessary for the furtherance of its objects;
  - (viii) to provide printing, reproduction and publication of research and other works and to organize exhibitions, workshops, seminars, conference, etc.;
  - (ix) to sponsor and undertake research in all aspects of science, technology and management in relation to the domains of gas, oil and energy and allied areas;
  - (x) to offer executive developmental programmes;
  - (xi) to collaborate or associate with, advise, administer, control, develop and maintain any educational institution with like or similar objects;
  - (xii) to develop and maintain linkages with educational or other institutions in any part of the world having objects wholly or partly similar to those of the University, through exchange of teachers, students and scholars and generally in such manner as may be conducive to their common objects;
  - (xiii) to develop and maintain relationships with teachers, researchers and experts in the domains of gas, oil and energy and allied areas in any part of the world for achieving the objects of the University;
  - (xiv) to regulate the expenditure, manage the finances and to maintain accounts of the University;

- (xv) to receive grants, subventions, subscriptions, donations and gifts for the purpose of the University and consistent with the object for which the University is established and to enter into any agreement with Central Government, State Government, the University Grants Commission or other authorities or bodies for receiving any grants.
- (xvi) to receive funds from the Industries, national and international organizations or any other sources as gifts, donations, benefactions or bequests by transfer of movable and immovable properties for the purposes and objects of the University;
- (xvii) to establish, maintain and manage halls and hostels for the residence of students and accommodation for faculties, officers and employees of the University and the guest houses;
- (xviii) to supervise and control the residence and regulate the discipline of students of the University and to make arrangements for promoting their health and general welfare and cultural activities;
- (xix) to fix, demand and receive or recover fees and such other charges as may be prescribed;
- (xx) to institute and award fellowships, scholarships, prizes, medals and other awards;
- (xxi) to purchase or to take on lease or accept as gift or otherwise, any land or building or works which may be necessary or convenient for the purpose of the University on such terms and conditions as it may think fit and to construct, alter and maintain any such buildings or works;
- (xxii) to sell, exchange, lease or otherwise dispose of all or any portion of the properties of the University, movable or

immovable, on such terms as it may think fit, consistent with the interest, activities and objects of the University under intimation to the State Government;

(xxiii) to draw and accept, to make and endorse, to discount and negotiate promissory notes, bills of exchange, cheques or other negotiable instruments;

(xxiv) to raise and borrow money on bond, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities and upon such terms and conditions as it may think fit and to pay out of the funds of the University, all expenses incidental to the raising of money, to repay and redeem any money borrowed under intimation to the State Government;

(xxv) to invest the funds of the University in or upon such securities and transpose any investment from time to time in such manner as it may deem fit in the interest of University;

to execute conveyance regarding transfers, mortgages, leases, licenses, agreements and other conveyance in respect of the property, movable or immovable including Government securities belonging to the University or to be acquired for the purpose of the University under intimation to the State Government;

(xxvii) to admit the students for the courses offered by the University in the prescribed manner;

(xxviii) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto;

- (xxix) to regulate and enforce discipline among the employees of the University and to provide for such disciplinary measures as may be prescribed;
- (xxx) to institute professorships, associate professorships, assistant professorships, readerships, lectureships, endowed professorship, honorary professorships, adjunct professorships and any other teaching, academic or research posts and to prescribe qualifications for them;
- (xxxi) to appoint persons as Professors, Associate Professors, Adjunct Professors, Assistant Professors, Readers, Lecturers, Registrar or otherwise as teachers and researchers of the University;
- (xxxii) Subject to the provisions of this Act and regulations, any officer or authority of the University may, by order, delegate his or its powers (except the power to make regulations) to any other officer or authority under his or its control; and
- (xxxiii) to do all such other acts and things as the University may consider necessary, conducive or incidental to the attainment or enlargement of all or any of the objects of the University.

**8. *President.-***

- (1) The President of the University shall be appointed by the Society.
- (2) The person to be appointed as President shall ,-
- (i) be an eminent educationalist, technologist, industrialist or administrator having vision for human resources development.
  - (ii) be associated with Gujarat in terms of development, education, philanthropy, industrial or business development or exemplary administration in the State services, corporations or Public bodies, and

- (iii) not have attained the age of Sixty-five years on the date of nomination or re-nomination.
- (3) The President shall hold office for a period of three years and shall be eligible for re-nomination for one more term only.
- (4) The other terms and conditions for the President shall be such as may be determined by the Society.
- (5) Where a vacancy in the office of the President occurs on account of death, resignation or otherwise, the Society shall appoint immediately suitable person to be the President in accordance with the provision of sub-section (2).
- (6) The President may resign from his office by writing under his hand addressed to the Chairman of the Society and such a resignation shall take effect from the date of acceptance by the Chairman.
- (7) The President shall have, subject to the provisions of this Act, power to cause an inspection or review to be made by such person or persons as he may direct, of the University, its buildings, hostels, libraries, equipments and systems and processes and of any institution or center maintained by the University, and also of the examinations, teaching, research and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration, academic affairs and finances of the University.

**9. *Authorities of University.-***

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

- (i) the Board;
- (ii) the Academic Council;
- (iii) the Finance Committee; and

- (iv) such other authorities as may be declared by regulations to be the authorities of the University.

**10. Officers of University.-**

The following shall be the officers of the University, namely: -

- (i) the President,
- (ii) the Director General,
- (iii) the Directors,
- (iv) the Deans,
- (v) the Registrar, and
- (vi) such other persons as may be declared by regulations to be the officers of the University.

**11. Board of Governors.-**

(1) The Board of Governors of the University shall consist of the following members, namely: -

- (i) the President, who shall be the Chairman of the Board;
- (ii) the Director General;
- (iii) one Director by rotation to be nominated by the Board;
- (iv) The Dean by rotation to be nominated by the Board;
- (v) the Secretary to Government, Energy and Petrochemicals Department, Government of Gujarat, *ex-officio*;
- (vi) the Secretary to Government, In-charge of Technical Education, Government of Gujarat, *ex-officio*;
- (vii) two expert academicians, to be nominated by the Board;
- (viii) one of the members of the Society to be nominated by the Society;

- (ix) two experts representing other disciplines such as finance, legal, management, humanities, to be nominated by the Board; and
  - (x) three professionals of the oil, gas, energy and allied industries, to be nominated by the Board.
- (2) The Registrar shall be the Secretary of the Board.

**12. *Powers of Chairman of Board.-***

- (1) The Chairman shall preside over the meetings of the Board and at the convocation of the University.
- (2) The Chairman shall exercise such other powers and perform such other duties as may be assigned to him by or under this Act or regulations.

**13. *Powers and Functions of the Board.-***

- (1) Subject to the provisions of this Act, the Board shall be responsible for the general superintendence, direction and the control of the affairs of the University and shall exercise all the powers of the University, and shall have the power to review the acts of the Academic Council and the Finance Committee and other committees or authorities constituted by the University.
- (2) Without prejudice to the provisions of sub-section (1), the Board shall have the following powers and functions, namely: -
- (i) to take decision on question of policy relating to the administration and working of the University;
  - (ii) to institute courses of study at the University;
  - (iii) to make regulations;
  - (iv) to consider and approve the annual report and the annual budget of the University for every financial year;

- (v) to invest monies and funds of the University and to take decision on the recommendation of the Finance Committee;
- (vi) to publish or finance the publication of studies, treaties, books, periodicals, reports and other literature from time to time and to sell or arrange for the sale as it may deem fit;
- (vii) to lay down policies to be pursued by the University;
- (viii) to take such decisions and steps as are found desirable for effectively carrying out the objects of the University;
- (ix) to create or abolish posts of teachers and officers and employees of the University ;
- (x) to appoint such committees as it considers necessary for the exercise of its powers and the performance of its duties under this Act;
- (xi) to appoint Directors;
- (xii) to delegate any of its powers to the Director General, Directors, Deans, Registrar or any other officers, employee or authority of the University or to a committee appointed by it; and
- (xiii) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by or under this Act or the regulations, and all such other powers for achieving the objects of the University.

**14. *Terms of office and vacancies among members of the Board.-***

- (1) Save as otherwise provided in this section, the term of a nominated member of the Board shall be three years from the date of his nomination.
- (2) An *ex-officio* member shall continue so long as he holds the office by virtue of which he is the member of the Board;

- (3) Any vacancy in the Board occurring before the next reconstruction or before the expiry of the prescribed period shall be filled in the same manner as provided in section 11 and such a member shall hold office for the remainder of the term of the member in whose place he is nominated;
- (4) A member shall be eligible for re-nomination for the next term;
- (5) A member may resign from his office by writing under his hand addressed to the Chairman and his resignation shall take effect from the date it is accepted by the Chairman.

**15. *Academic Council.-***

- (1) The Academic Council of the University shall consist of the following members, namely: -
  - (i) the Director General, who shall be the Chairman of the Academic Council;
  - (ii) two academicians or professionals, to be nominated by the Board;
  - (iii) two academicians or professionals in the fields of science, technology or management in relation to the domains of gas, oil or energy to be nominated by the Board;
  - (iv) two Deans, by rotation, to be nominated by the Director General;
  - (v) two Directors, by rotation, to be nominated by the Director General;
  - (vi) one professor from each discipline of the University, by rotation to be nominated by the Director General.
- (2) The Registrar shall be the Secretary of the Council.

- (3) The term of office of the members other than the *ex-officio* members, shall be three years.

**16. *Powers and Functions of Academic Council.-***

Subject to the provisions of this Act and the regulations, the Academic Council shall have the following powers, namely: -

- (i) to exercise control over the academic policies of the University and be responsible for the maintenance and improvement of standards of instruction, education and evaluation in the University;
- (ii) to consider matters of general academic interest either on its own initiative or on a reference from the Faculty of the University or the Board and to take appropriate action thereon;
- (iii) to recommend to the Board, such regulations as are consistent with this Act regarding the academic functioning of the University including discipline of students; and
- (iv) to exercise such other powers and perform such other functions as may be conferred upon it by the regulations.

**17. *Finance Committee.-***

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

- (i) the Director General, who shall be the Chairman of the Committee;
- (ii) one member of the Board to be nominated by the President;
- (iii) one Director, by rotation, to be nominated by the Director General;

- (iv) one expert in the field of finance to be nominated by the Board;
  - (v) One of the members of the Society to be nominated by the Society;
- (2) The Registrar shall be the Secretary of the Committee.
- (3) The term of office of the members other than the *ex-officio* members shall be three years.

**18. Powers and Functions of Finance Committee.-**

Subject to the other provisions of this Act, the Finance Committee shall exercise the following powers and perform the following functions, namely:-

- (i) to examine the annual account and annual budget estimates of the University and to advise the Board thereon;
- (ii) to review from time to time the financial position of the University;
- (iii) to make recommendations to the Board on all financial policy matters of the University;
- (iv) to make recommendations to the Board on all proposals involving raising of funds, receipts and expenditures;
- (v) to provide guidelines for investment of surplus funds;
- (vi) to make recommendations to the Board on all proposals involving expenditure for which no provision has been made in the budget or for which expenditure in excess of the amount provided in the budget needs to be incurred;
- (vii) to examine all proposals relating to the revision of pay scales, upgradation of the scales and those items which are not included in the budget prior to placing before the Board; and
- (viii) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by the regulations.

**19. *Director General.-***

- (1) The Director General shall be appointed by the Board out of the panel of three names recommended by the Search Committee.
- (2) (a) The Search Committee shall consist of the following members, to be nominated by the Board, namely:-
  - (i) an eminent technologist;
  - (ii) an eminent educationalist; and
  - (iii) one of the members of the Board;
- (b) The Board shall designate one of the members of the Search Committee as the Chairman of the Committee.
- (3) The term of office of the Director General shall be determined by the Board for a period not exceeding five years.
- (4) Whenever any vacancy occurs in the office of the Director General and it can not be conveniently and expeditiously filled up in accordance with the provisions of sub-sections (1) and (2) and if there is any emergency, the Board may appoint any suitable person to be the Director General and may, from time to time, extend the term of such person for a period not exceeding one year.
- (5) The other terms and conditions of the services of the Director General shall be such as may be prescribed by the Board and until so prescribed, shall be determined by the President.

**20. *Powers and duties of Director General.-***

- (1) The Director General shall be the Chief Executive and Academic Officer of the University. He shall preside over at the meetings of the Academic Council and the Finance Committee.

- (2) Without prejudice to the generality of the provisions contained in subsection (1), the Director General shall -
- (i) exercise general supervision and control over the affairs of the University;
  - (ii) ensure implementation of the decisions of the authorities of the University;
  - (iii) be responsible for imparting of instruction and maintenance of discipline in the University; and
  - (iv) exercise such other powers and perform such other duties as may be assigned to him by or under this Act or the regulations or as may be delegated to him by the Board or by the President.
- (3) Where any matter is of urgent nature requiring immediate action and the same cannot be immediately dealt with by the Chairman or authority or body of the University empowered under this Act to deal with it, the Director General may take such action as he may deem fit and shall forthwith report the action so taken by him to the Chairman or authority or body of the University who or which, in the ordinary course, would have dealt with the matter:

Provided that if such authority or other body is of the opinion that such action ought not to have been taken by the Director General, it may refer the matter to the Board which may either confirm the action taken by the Director General or annul the same or modify it in such manner as it thinks fit, and thereupon the action shall cease to have effect or, as the case may be, shall take effect in such modified form. However, such modification or annulment shall be without prejudice to the validity of any thing previously done by or under the Order of the Director General.

- (4) Where the exercise of the power by the Director General under subsection (3) involves the appointment of any person, such appointment shall be confirmed by the competent authority empowered to approve such appointment, in accordance with the provisions of this Act and the regulations, not later than six months from the date of order of the Director General, otherwise such appointment shall cease to have effect on the expiration of a period of six months from the date of order of the Director General.

**21. Registrar.-**

- (1) The Registrar shall be appointed by the University in such manner and on such terms and conditions as may be prescribed.
- (2) The Registrar shall -
- (i) be responsible for the custody of records, common seal, the funds of the University and such other property of the University;
  - (ii) place before the Board and other authorities of the University, all such information and documents as may be necessary for transaction of its business;
  - (iii) be responsible to the Director General for the proper discharge of his functions;
  - (iv) be responsible for the administration and services of the University; and conduct the examinations and make all other arrangements necessary thereof and be responsible for the execution of all processes connected therewith;
  - (v) attest and execute all documents on behalf of the University;

- (vi) verify and sign the pleadings in all suits and other proceedings by or against the University. All the processes in such suits and proceedings shall be issued to and served on the Registrar; and
- (vii) exercise such other powers and perform such other duties as may be assigned to him by or under this Act, the regulations or as may be delegated to him by the Board or the Director General.

**22. *Directors.* –**

- (1) The Directors of the institutes or centres of the University shall be appointed by the Director General, with the approval of the Board in such manner and on such terms and conditions as may be prescribed.
- (2) The Directors shall assist the Director General in managing the academic, administrative and other affairs of the institutes or centres and shall exercise such powers and perform such functions as may be prescribed or entrusted to them by the Director General.

**23. *Deans.*-**

- (1) The Director General, with the approval of the Chairman, shall appoint the Deans of the University from amongst the Faculties of the University.
- (2) The Deans shall assist the Director General and respective Directors of the Institutes or Centres in managing the academic and other affairs of the University, Institutes and Centres, and shall exercise such powers and perform such functions as may be prescribed or entrusted to them by the Director General.

**24. *Permanent Endowment Fund of University.-***

The Society shall place funds at the disposal of the University to be called the Permanent Endowment Fund of sum of five crores of rupees or such sum required for meeting the full operational expenditure of the University, which ever is more, for a period of three years in the form of long term interest bearing securities issued or guaranteed by the Central or the State Government. On the termination of the involvement of the Society and after meeting with the operational expenditure for a period of three years, out of the Permanent Endowment Fund, if there is any unused balance the same shall be paid back to the Society with the previous permission of the State Government.

**25. *Payment by Society to University.-***

The Society shall pay to the University from time to time such sums of money and in such manner as may be considered necessary for the exercise of powers and discharge of its functions by the University by or under this Act.

**26. *Funds of University.-***

The University shall have its own funds consisting of -

- (i) the monies provided by the Society;
- (ii) fees and other charges received by the University;
- (iii) the monies received by the University by way of grants, loans, gifts, donations, benefactions, bequests or transfer;
- (iv) the monies received by the University from the collaborating Industries in terms of the provisions of the Memorandum of Understanding entered between the University and the Industry,

for establishment of sponsored chairs, fellowships or infrastructure facilities of the University; and

- (v) the monies received by the University from any other source.
- (2) All funds of the University shall be deposited in such bank or invested in such manner as the Board may decide on the recommendation of the Finance Committee.
- (3) The Funds of the University shall be applied towards the expenses of the University including expenses incurred in the exercise of its powers and discharge of its functions by or under this Act.

27. *Accounts and audit.-*

- (1) The University shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the income and expenditure and the balance sheet, in such form and in such manner as may be prescribed.
- (2) The University shall adopt a proper system of internal checks and balances and controls in the discharge of its financial, accounting and auditing functions as may be prescribed.
- (3) The accounts of the University shall be audited every year by an auditor, who shall be a Chartered Accountant as defined in the Chartered Accountant Act, 1949 or a firm of Chartered Accountants, <sup>XXVII</sup> of 1949, to be appointed by the Board.
- (4) The accounts of the University certified by the person or firm so appointed or any other person authorized in this behalf together with the audit report thereon shall be placed before the Board and the Board may issue such instructions to the University in respect thereof as it deems fit and the University shall comply with such instructions.

- (5) The accounts of the University shall be audited by an internal auditor who shall be Chartered Accountant or a firm of Chartered Accountants appointed by the Board, to ensure concurrent audit of all books of accounts and such periodic internal audit reports shall be placed before the Board for review.
- (6) The University shall prepare for each financial year an annual report containing such particulars as the Board may specify and submit the same to the Board on or before such date as may be prescribed. The Board shall consider such report and may pass resolutions thereon and thereupon the Finance Committee shall take action in accordance with such resolution. The action taken by the Finance Committee on such resolutions and if no action is taken, the reasons for not taking any action shall be communicated to the Board.
- (7) The copy of the annual report along with the resolution of the Board thereon shall be submitted to the State Government.

28. ***Pension and provident Funds.-***

- (1) The University shall, with the approval of the Board, constitute for the benefit of its officers, teachers and other employees, in such manner and subject to such conditions as may be prescribed, such schemes of pension, provident fund and insurance as it may deem fit, and also aid in establishment and support of the associations, institutions, funds, trusts and conveyance calculated to the benefit of the officers, teachers and employees of the University.
- (2) Where any such provident fund has been constituted, the provisions of the Provident Funds Act, 1925 shall apply to such fund as if it were a Government Provident Fund.

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1925.

29. *Acts and proceeding not to be invalidated by vacancies.-*

No act or proceeding of the Board or any authority of the University or any Committee constituted under this Act or by regulations shall be questioned on the ground merely of the existence of any vacancy in or defect of, in the constitution of such Board, authority or Committee of the University.

30. *Conferment of degrees, diplomas and grant of certificates by University.-*

Notwithstanding anything contained in any other State law for the time being in force, the University shall have powers to confer degrees, diplomas and grant certificates and confer honorary degrees and other academic distinctions and titles as approved by the Board.

31. *Returns and information.-*

The University shall furnish to the State Government, University Grants Commission and other statutory authorities such reports, returns, statements and other information as may be required by them from time to time.

32. *Management of the University on dissolution of the Society.-*

The Society shall give a notice of not less than six months period to the State Government of its intention to dissolve the Society. Upon receipt of any such notice from the Society, the State Government shall make arrangements for the administration of the University from the date of dissolution of the Society till the last batch of students in regular courses of the University complete their courses. The expenditure for administration of the University during the taking over

period of its management by the State Government shall be met out of the Permanent Endowment Fund of the University. If there is no fund or the funds are not sufficient to meet with the expenditure of the University, the State Government may dispose of the properties of the University to meet the expenditure of the University.

**33. *Officers and employees to be public servants.-***

Every officer, teacher and employee of the University shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

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*Explanation .-* For the purpose of this section, any person, who is appointed by the University for a specified period or a specified work of the University or, who received any remuneration by way of allowances or fee for any work done from the University Fund, shall be deemed to an officer or employee of the University while he is performing the duties and functions connected with such appointment of work.

**34. *Dismissal, removal and termination of services of Staff of University.-***

(1) No officers or employees or member of the teaching, non-teaching and other academic staff of the University shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(2) An appeal against an order of dismissal, removal or reduction in rank under sub-section (1) or of termination of service shall be made to the President within ninety days from the date of communication of such order and the decision of the President in such appeal shall be final.

**35. Powers of the State Government to give direction.-**

The State Government shall have power to issue direction from time to time as may be required for compliance of the provisions of this Act, the regulation and under any other law for the time being in force and the University shall be bound to comply with such directions.

**36. Powers to make regulations.-**

- (1) Subject to the provisions of this Act, the Board shall have, in addition to all other powers vested in it, the powers to make regulations to provide for the administration and management of the affairs of the University.
- (2) In particular and without prejudice to the generality of the foregoing powers, such regulations may provide for all or any of the following matters, namely:-
  - (i) the summoning and holding of meetings of the authorities of the University, other than the first meeting of the Board, and the quorum and conduct of business at such meeting;
  - (ii) the powers and functions to be exercised and discharged by the President and the Chairman of the Board;
  - (iii) the constitution, powers and duties of the authorities, bodies and other committees of the University, the qualifications and disqualifications for membership of such authorities, term of office of the membership, appointment and removal of members thereof and other matters connected therewith;

- (iv) the procedure to be followed by the Board and any Committee or other body constituted by or under this Act in the conduct of the business, exercise of the powers and discharge of the functions;
- (v) the procedures and criteria to be followed in establishing courses of study and admission of students;
- (vi) the procedure to be followed for enforcing discipline in the University;
- (vii) the management of the properties of the University;
- (viii) the diplomas, degrees, certificates and other academic distinctions and titles which may be conferred or granted by the University and withdrawal or cancellation of any such degrees, diplomas, certificates and other academic distinctions and titles and the requirements thereof;
- (ix) the conduct of examinations ;
- (x) the creation of posts of Directors, Professors, Associate Professors, Assistant Professors, Readers, Lectures or equivalent academic designations or posts, officers and employees of the University, and the appointment of persons to such posts including the qualifications requisite therefore;
- (xi) the fees and other charges to be paid to the University for the courses, training, facilities and services provided by it;
- (xii) the manner and conditions for constitution of insurance, pension and provident funds and such other schemes for the benefits of officers, teachers and employees of the University;
- (xiii) the terms and conditions for association of the University with other institutions;

- (xiv) the preparation of budget estimates and maintenance of accounts;
- (xv) the mode of execution of contracts or agreements by or on behalf of the University;
- (xvi) the classification and procedure for appointment of officers, employees and other staff of the University;
- (xvii) the terms and conditions and tenure of appointments, salaries and allowances, contractual services, rules of discipline and other conditions of service of the Director General, Director, officers, teachers and employees of the University;
- (xviii) the terms and conditions governing deputation of teachers / officers and employees of the University;
- (xix) the powers and duties of the Director General, Director and other officers, teachers and employees of the University;
- (xx) the terms and conditions governing fellowships, scholarships, stipends , medals and prizes;
- (xxi) the authentication of the orders and the decisions of the Board;
- (xxii) the matters relating to hostels and halls of residence and housing for faculties, officers and employees and guest house including disciplinary control therein; and
- (xxiii) all matters which, by this Act, are to be or may be prescribed.

### **37. *Transitory Provisions.-***

Notwithstanding anything contained in this Act, the Director General may, with the prior approval of the President and subject to availability of the funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act and the regulations and for that purpose, may exercise any powers or perform any duties which by or under

this Act and regulations are to be exercised or performed by any authority of the University until such authority comes into existence in accordance with the provisions of this Act and the regulations. The Society shall review and monitor such actions taken by the Director General.

38. ***Indemnity.-***

No suit, prosecution or other legal proceeding shall lie against and no damage shall be claimed from the University, the President, the Director General, the Directors, the authorities or officers or employees of the University or any other person in respect of anything which is done in good faith or purporting to be done in pursuance of this Act or any regulations made thereunder.

39. ***Power to remove difficulties.-***

(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary for removing difficulties:

Provided that no such order shall be made under this section after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before the State Legislature.