THE MAHARASHTRA UNIVERSITIES ACT, 1994

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THE SCHEDULE PART I
and

THE SCHEDULE PART II

MAHARASHTRA ACT No. XXXV OF 1994

[THE MAHARASHTRA UNIVERSITIES ACT, 1994.]

(This Act received the assent of the Governor on the 21st July, 1994; assent was first published in the Maharashtra Government Gazette, Part IV on the 21st July 1994)

An Act to unify, consolidate and amend the law relating to the non-agricultural and non-technological universities in the State of Maharashtra

WHEREAS it is expedient to provide for a unified pattern for the constitution and administration of non-agricultural and non-technological universities in the State of Maharashtra and to make better provisions therefor;

AND WHEREAS with a view to consider and recommend measures for better governance of such universities and reorganisation of higher education, the Central Government and the Government of Maharashtra had appointed various committees and study groups;

AND WHEREAS after considering the recommendations made by these committees and groups, and the experience gained in implementing the present university Acts, it is felt necessary to make provisions to enable each university to effectively carry out with responsibility the objects of the university, to promote more equitable distribution of facilities for higher education, to provide for more efficient administration, financial control, better organisation of teaching research, to ensure proper selection and appointment of teachers and other employees, to provide for representation of students and teachers on various bodies of the university, to take measures for curbing or for eradicating undesirable non-academic influences detrimental to maintenance of discipline and standards of education or academic excellence in the universities and to provide for matters connected with or incidental thereto; it is considered expedient to unify, consolidate and amend the law relating to such universities in the State; It is hereby enacted in the Forty-fifth Year of the Republic of India as follows :-

CHAPTER I

PRELIMINARY.

Short title and commencement.

1. (1) This Act may be called the Maharashtra Universities Act, 1994.

(2) It shall come into force on such date[1] 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 specialised services for the promotion of any of the objectives of the university;

(2) "adjunct professor", "adjunct reader" or "adjunct lecturer" 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. A college, institution or a university department which has been granted autonomy shall have full academic administrative and financial autonomy subject to the provisions of the Act and Statutes;

(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", "Vice-Chancellor" and "Pro-Vice-Chancellor" mean, respectively, the Chancellor, the Vice-Chancellor and the Pro-Vice-Chancellor of the university;

(9) "Collaboration" means collaborative academic activity of the university with other universities, academic institutions (local, regional, national or international), research institutions and organisations (research, agriculture, industry, trade and commerce);

(10) "college" means a college conducted by the university, or affiliated to the university, situated in the university area;

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1) 22nd July 1994 vide Government Notification, Higher and technical Education and Employment Department No. USG.1492/104201/(131/92)UNI-3, dated 22nd July, 1994.

(11) "conducted college" means a college maintained and managed by the university;

(11A) "Denotified Tribes (*Vimukta Jatis*)" means tribes declared as such by the State Government from time to time;

(12) "department" means a department teaching a particular subject or a group of subjects in a college as prescribed in the Statutes;

(13) "Director" means a head of an institution including a centre, or a school of the university as designated by the Management Council;

(14) "Director of Higher Education", "Director of Medical Education and Research", "Director of Physical Education" and "Director of Technical Education" means, respectively, Director of Higher Education, Maharashtra State, Director of Medical Education and Research, Maharashtra State and Director of Physical E

ducation, Maharashtra State, Director of Technical Education, Maharashtra State;

(15) "higher education" means the pursuit of knowledge beyond learning at the stage of school education;

(16) "hostel" means a place of residence for the students of the university or a college provided, maintained or recognised by the university;

(17) "institution" means an academic institution of higher learning, not being a college, associated with and admitted to the privileges of the university;

(18) "Local Managing Committee" means a committee constituted for a college under the provisions of this Act;

(19) "Maharashtra State Council for Higher Education" means the council constituted under section 56 of this Act;

Bom. XXIX of 1950 21 of 1860

(20) "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) under the management of which one or more colleges or recognised institutions or other institutions 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;

(20A) "Nomadic Tribes" means tribes wandering from place to place in search of their livelyhood, as declared by the State Government, from time to time;

(21) "non-vacational academic staff" means such staff as the 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;

(22) "Other Backward Classes" means and includes persons belonging to such classes or groups within such classes as adopted by the State Government to be other backward classes;

(23) "post-graduate department" means a department in a college or institution of higher learning, research or specialised studies, recognised to be so by the university and imparting post-graduate instruction or guidance for research;

(24) "prescribed" means prescribed by Statutes or Ordinances or Regulations, as the case may be, made by or under this Act;

(25) "principal" means a head of a college, specialised educational institution, post-graduate centre or other recognised institution duly approved by the university;

(26) "recognised institution" means an institution of higher learning, research or specialised studies, other than a college, and recognised to be so by the university;

(27) "registered graduate" means a graduate of a university registered or deemed to be registered by or under the Act with one of the universities;

(28) "Schedule" means the schedule to this Act.

(29) "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;

(30) "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.

(31) "school" means a school of studies maintained by or recognised as such by the University;

(31A) "State Government" means the Government of Maharashtra;

(32) "Statutes", "Ordinances" and "Regulations" mean, respectively, the Statutes, Ordinances and Regulation of the university made by or under this Act;

(33) "Students' Council" means the students, council established under this Act;

(34) "teacher" means full-time approved professor, associate professor, assistant professor, reader, lecturer, librarian, [principal, Deputy or Assistant Librarian and Documentation Officer in the university and college Librarian] 3 Director or Instructor of Physical education in any university department, conducted, affiliated or autonomous college, autonomous institution or department or recognised institution in the university;

(35) "Tribunal" means the tribunal established under this Act;

(36) "university" means any of the universities mentioned in the Scheduled'

(37) "university area" means the area specified against the name of the university in the Schedule;

(38) "university department" means a department established and maintained by the university;

(39) "University Grants Commission" means the University Grants Commission established under the University Grants Commission Act, 1956;

(40) "university institution" means a centre, a school, or an institute established and maintain by the university;

(41) "university teacher" means a teacher appointed by the university.

CHAPTER II

UNIVERSITIES.

Incorporation of universities

3. (1) In relation to each of the existing universities specified in column (1) of Part I of the Schedule, with effect from the date of commencement of this Act, the corresponding university with the name, specified against it in column (2) of the said Part, is hereby constituted under this Act, for the same area specified in column (3) 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 later the area of any existing or new university, by suitably amending the Schedule, by the said notification, and thereupon the entries in column (3) 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, by whatever name called, within the area of the new university which are affiliated to or recognised by the existing university shall, from the date aforesaid, stand affiliated to or recognised 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 sub-section (2), 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, Pro-Vice-Chancellor, if any, the 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 shall be to disseminate, create and preserve knowledge and understanding by teaching, research extension and service and by effective demonstration and influence of its corporate life on society in general, and in particular the objects shall be --

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

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

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

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

(6) to 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 held younger generation to develop right attitudes, interests and values;

(7) to promote equitable distribution of facilities of higher education;

(8) to provide for efficient and responsive administration, scientific management and develop organisation of teaching, research and extension;

(9) to 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 endeavor by developing higher educational network with use of modern communication media and technologies appropriate for a learning society;

(10) to promote national integration and preserve cultural heritage;

(11) to develop work culture and promote dignity of labour through applied components in the syllabi;

(12) to build up financial self-sufficiency by undertaking academic and allied programmes and resource generative services in a cost-effective manner;

(13) to promote better interaction and co-ordination among different universities and colleges by all such means generally to improve the governance of the university and facility it provides for higher education;

(14) to generate and promote a sense of self-respect and dignity amongst the weaker sections of the society;

(15) to 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 instruction extension teaching and training in such branches or learning and course of study 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 the fine arts), commerce, science, medicine, engineering, technology, law, physical education, and other branches of learning and culture and their interdisciplinary areas;

(3) to make provision to enable conducted and affiliated colleges and recognised institutions to undertake specialised studies;

(4) to organise, maintain and manage university departments, laboratories, libraries, museums and equipments for teaching research or extension;

(5) to establish, maintain and manage departments and institutions of research, of specialised studies or of academic services unit;

(6) to establish, maintain and manage colleges, institutions, hostels, health centres, auditoria and gymnasiums;

(7) to provide for establishment, on the university-campus, of autonomous institutions like inter-university centres, research laboratories, modern

instrumentation centres and like centres of learning, set up by the University Grants Commission, Central Government or State Government, 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 organisations availing themselves of such facility of a university or such organisations providing the facility to a university, prior approval of the State Government shall be obtained by the university concerned;

(8) to provide for establishment of sub-campuses for serving a group of colleges, and also to provide for and maintain common resources centres in such sub-campuses in the form of libraries, laboratories, computer centres, and the like centres of learning;

(9) to create posts of directors, principals, professors, readers, lecturers and other teaching or non-vacation academic posts required by the university with the prior approval of the State Government and to prescribe their qualifications and make appointments thereto;

(10) to appoint or recognise persons working in any other university or organisation as adjunct professors, adjunct readers, adjunct lecturers, visiting professors of the university for specified periods;

(11) to create non-teaching skilled, administrative, ministerial and other posts and prescribe the qualifications and pay-scales with prior approval of the State Government and to make appointments thereto;

(12) to facilitate mobility of teachers within the university and to other universities with the consent of the teacher concerned;

(13) to prescribe the courses of instruction and studies for the various examinations leading to specific degrees and diplomas or certificates;

(14) to make provision, wherever feasible, in the university departments, colleges, institutions, recognised 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;

(15) to supervise, control and regulate admission of students for various courses of study in university departments, conducted and affiliated colleges, institutions, schools and recognised institutions;

(16) 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;

(17) 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;

(18) to hold examinations 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 recognised 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 recognised institution or a school and have passed the examinations prescribed by the university;

(c) have engaged in research under conditions provided by Ordinances and Regulations;

(19) 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;

(20) to confer honorary degrees or other academic distinctions as prescribed by the Statues;

(21) to lay down the conditions of affiliation of colleges and recognition of institutions taking into account the credibility of the management and the norms of academic performance of colleges, faculties and subjects, as may be laid down, from time to time, and satisfy itself by periodical assessment or otherwise that those conditions are fulfilled;

(22) 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 and recognised hostels not maintained by the university and withdraw such recognition, temporarily or permanently;

(23) 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 University Grants Commission;

(24) to monitor and evaluate the academic performance of affiliated college and recognised institutions for affiliation and periodical accreditation;

(25) to inspect, where necessary, college and recognised institutions through suitable machinery established for the purpose, and take measures to ensure that proper standards of instruction, teaching and training are maintained by them and adequate library, laboratory, hostel workshop and other academic facilities are provided for;

(26) to hold and to manage trusts and endowments and institute and award fellowships, travelling fellowships, scholarships, studentship, medals and prizes for teachers and students of the university and colleges;

(27) to fix, demand and receive or recover such fees and other charges as may be regulated by the Ordinances, from time to time;

(28) to supervise, control and regulate the conduct and discipline of the students of the university, colleges, institutions, recognised institutions, schools and hostels:

(29) to provide for mobility of students from formal to non-formal stream and *vice-versa;*

(30) to provide facilities for revision or in service courses for teachers of the university, colleges, schools and institutions;

(31) to make arrangements for promoting the healthy atmosphere, corporate life and welfare of the students of the university, colleges, schools and institutions;

(32) to make arrangements for promoting welfare of the employees of the university;

(33) to co-ordinate and regulate teaching and research and extension in the colleges and recognised institutions;

(34) to provide for the training and quality improvement of teaches and non-teaching employees;

(35) to provide for periodical assessment of the performance of teachers and non-teaching employees of the colleges, institutions and university in accordance with the provisions of the Statutes;

(36) 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 tuition or private coaching classes;

(37) to provide for conduct and discipline rules for teaching and non-teaching staff and the enforcement thereof;

(38) to prescribe Code of conduct for managements;

(39) to establish, maintain and manage, whenever necessary --

(a) a printing and publication department;

(b) university extension boards;

(c) information bureaus;

(d) employment guidance bureaus; and

(e) such other activities as may be necessary and possible to fulfil the objects of the university;

(40) to make provision for participation of students in --

(a) the national service scheme;

(b) the national cadet corps;

(c) home guards and civil defence;

(d) the national sports organisation;

(e) physical and military training;

(f) extra-mural teaching and research;

(g) programmes related to adult and continuing education, and extension;

(h) any other programmes, services or activities directed towards cultural, economic and social betterment as may be necessary and possible to fulfil the objectives of the university;

(41) to provide for special training or coaching for competitive examinations, for recruitment to the public services, public undertaking and other competitive employment opportunities, with prior approval of the State Government;

(42) to co-operate or collaborate with any other university, institution, authority or organisation for research and advisory services and for such purposes to enter into appropriate arrangement with other universities, institutions, authorities, or organisations to conduct certain courses as the situation may demand;

(43) to rescind affiliation granted to colleges;

(44) 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;

(45) 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 organisations;

(46) to recommend to the State Government to take over, in the public interest, the management of an affiliated college, institution or autonomous college in case where irregularities or commissions or omissions of criminal nature by the management of such college or institution are *prima facie* evident to the committee of enquiry appointed by the university;

(47) to undertake academic collaboration programmes with universities and institutions abroad, with the approval of the State Government;

(48) to receive funds for collaboration programmes from foreign agencies subject to rules and regulations of the Central Government and State Government in that behalf;

(49) to lay down for teachers and university teachers, service conditions including code of conduct, workload, norms of performance appraisal, and such other

instructions or directions as, in the opinion of the university, may be necessary in academic matters;

(50) 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;

(51) to make special provisions for the benefit of the university education to be made available to classes and communities which are socially and educationally backward;

(52) to make special provision for such benefits of the university education to be made available for women students and handicapped students as the university may think necessary;

(53) to make special provision for higher education in rural and tribal areas;

(54) to implement the national literacy and adult education programme 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;

(55) 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;

(56) to promote by itself, or in co-operation with other universities or organisations, the study of foreign languages in general and Asian languages in particular;

(57) to evolve an operational scheme for ensuring accountability of teachers, non-vacation academic and non-teaching staff of the university, institutions and colleges;

(58) to provide for joint appointments in single grade of pay in more than one department in the university as also between university research laboratories, university-industry and other bodies;

(59) 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;

(60) 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 university may, with the prior permission of the State Government, extend and cover the entire area of the State outside the university area.

(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 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, it may do so with the sanction of the State Government.

(3) 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.

(4) 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 birth, religion 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 recognise any college or institution exclusively for women, or reserved for women.

(2) The university shall adopt 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 and Other Backward Classes for appointment to different posts of teachers and non-teaching officers and employees and for the purpose of admission of students in the affiliated or conducted colleges, university departments, university institutions or recognised institutions.

(3) The university shall adopt the general policy of the State Government in regard to the welfare of various categories of weaker sections of the society and minorities as directed by the State Government from time to time.

Control of State Govt. and universities

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 from any purpose other than that for which it was received.

(e) Transfer by sale or lease immovable property;

(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) The university shall be competent to incur expenditure from the funds received from, --

(a) various funding agencies without any share or contribution from the State Government;

(b) fees for academic programmes started on self-supporting basis;

(c) contributions received from the individuals, industries, institutions, organisations or any person whosoever, to further the objectives of the university;

(d) contributions or fees for academic or other services offered by the university;

(e) development fund, if any, established by the university;

for the purposes of --

(i) creation of post in various categories for specific period;

(ii) Granting pay, allowances and other benefits to the posts created through its own funds provided those posts are not held by such persons, who are holding the posts for which government contribution is received;

(iii) starting any academic programme on self-supporting basis;

(iv) incurring expenditure on any development work,

without referring the matter for approval of the State Government, provided 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, 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 member of the Scheduled Castes, Scheduled Tribes Denotified Tribes (*Vimukta Jatis*) and Nomadic Tribes and Other Backward Classes, 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 recognised institutions (other than those managed and maintained by the State Government, Central Government and the local authorities). When such Code is prescribed, the provisions made in the Code shall prevail, and the provisions made in the Statues, Ordinances, Regulations and Rules made under this Act, for matter included in the Code shall, to the extent to which they are inconsistent with the provisions of the Code, be invalid.

(4) 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, the State Government may, on making such inquiry as it may deem fit, 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.

Provided that, in case the university fails to comply with the directives. The State Government shall call upon the university to give reasons in writing why the directives were not complied with. If the State Government is not satisfied with the explanation, it may refer the matter to the Chancellor for taking necessary action under sub-section (3) of section 9."

(5) 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

(A) THE CHANCELLOR

Chancellor and his powers.

9. (1) The Governor of Maharashtra, for the time being, 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 direction to 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 –

(a) shall, on receiving a reference from the State Government under the proviso to sub-section (4) of section 8 in such matter : or

(b) 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 form 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.

(B) OTHER OFFICERS OF THE UNIVERSITY

10. The following shall be the other officers of the university, namely :-

(1) the Vice-Chancellor;

(2) the Pro-Vice-Chancellor;

(3) the Deans of Faculties;

(4) the Registrar;

(5) the Controller of Examinations;

(6) the Director of sub-campuses of the university;

(7) the Director, Board of College and University Development;

(8) the Librarian of the university library;

(9) the Finance and Accounts officer;

(10) the Director of Students' Welfare;

(11) such other officers in the service of the university as may be prescribed by Statutes.

Vice-Chancellor and Pro-Vice-Chancellor

11. (1) There shall be a Vice-Chancellor appointed as provided in section 12 who shall be the principal executive and academic officer of the university and ex-officio chairman of the Management Council, Academic Council, Board of Examinations, Finance Committee and Academic Services Committees and shall preside in the absence of the Chancellor at any convocation for conferring degrees and also at any meeting of the senate. His powers and duties shall be as provided in section 14.

(2) The Pro-Vice-Chancellor shall be appointed as provided in section 13 and the Pro-Vice-Chancellor, wherever appointed, shall be responsible for the duties allotted to him specifically by the Vice-Chancellor with the approval of the Management Council and he shall preside over the meeting of the authorities of the university in the absence of the Vice-Chancellor.

(3) Save as otherwise provided the emoluments and, terms and conditions of services of the Vice-Chancellor and Pro-Vice-Chancellor shall be such as may be determined by the State Government, from time to time.

(4) The other officers of the university shall be appointed in such manner and exercise such powers and perform such duties as provided in this Chapter.

Appointment of the Vice-Chancellor.

12. (1) 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, for appointment of Vice-Chancellor, namely :-

(i) The Principal Secretary of the Higher and Technical Education Department or any officer not below the rank of Principal Secretary to Government nominated by the State Government,

(ii) A nominee of the University Grants Commission,

(iii) One member nominated by the Chancellor,

(iv) One member nominated by the Management Council,

(v) One member nominated by the Academic Council;

(b) The members nominated shall be the persons who are not connected with the university or any college or any recognised institution of the university;

(c) the Chancellor shall nominate one of them as the Chairman of the Committee;

(d) The quorum for the meeting of the Committee shall be three.

(2) The process of preparing a panel shall begin at least three months before the probable date of occurrence of the vacancy of the Vice-Chancellor and shall be completed within the time limit fixed by the Chancellor. The Chancellor, however, may extend such time limit if in the exigency of the circumstances, it is necessary so to do, so however that the period so extended shall not exceed three months in the aggregate.

(3) The committee shall recommend a panel of not less than three suitable persons for the consideration of the Chancellor for being appointed as the Vice-Chancellor. The names shall be in alphabetical order without any preference being indicated. The report shall be accompanied by a detailed write-up on suitability for each person included in the panel.

(4) The Chancellor may appoint one of the persons included in the panel to be the Vice-Chancellor:

Provided, however, that if the Chancellor does not approve any of the persons so recommended, he may call for a fresh panel either from the same committee or after constitution of a new committee for the purpose, from such new committee.

(5) The person appointed as the Vice-Chancellor shall, subject to the terms and conditions of his contract of service, hold office for the contract period of five years

from the date on which he enters upon his office or till attaining the age of sixty-five years, whichever is earlier and shall not be eligible for re-appointment.

(6) The person appointed as the Vice-Chancellor shall hold a lien, if any, on the post in which he is confirmed prior to the appointment.

(7) In any of the following circumstances, the exigency whereof shall solely be judged by the Chancellor, namely :-

(a) where the committee appointed under sub-section (1) is unable to recommend any name within the time limit specified by the Chancellor;

(b) 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 accordance with the provisions of sub-sections (1) to (4);

(c) where the vacancy in the office of the Vice-Chancellor occurs temporarily because of leave, illness or other causes ;

(d) where the term of Vice-Chancellor has expired ; or

(e) where there is any other emergency ;

the Chancellor may appoint any suitable person, to act as the Vice-Chancellor for a term not exceeding six months, in the aggregate as he may specify 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 (1) to (4) assumes office or the Vice-Chancellor resumes office.

(8) The Vice-Chancellor shall be a whole-time salaried officer of the university and shall receive pay and allowances as determined by the State Government. In addition, he shall be entitled to free furnished residence, a motor car for his use (including its maintenance, repairs and fuel required therefor), with the service of a chauffeur free of charge.

(9) Such sumptuary allowance shall be placed at the disposal of the Vice-Chancellor, as the State Government may approve.

(10) If a person receiving an honorarium from the consolidated fund of the State, or if a principal of an affiliated college or a recognised 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 :

Provided that, the resultant vacancy in such post shall not be filled in by a long-term appointment during his tenure as Vice-Chancellor ;

(11) Notwithstanding anything contained in the foregoing sub-sections, the person referred to in sub-section (6) shall stand retired from his original post in accordance with the terms and conditions of services of that post.

(12) 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.

(13) The Vice-Chancellor may be removed from his office if the 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;

(d-1) has wilfully 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 contract or any other conditions, prescribed by the State Government under sub-section (3) of Section 11 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:"

(e) is a member of, or be otherwise associated with, any political party or any organisation which takes part in politics, or is taking part in, or subscribing in aid of, any political movement or activity;

Explanation – For purposes of this sub-clause, whether any party is a political party, or whether any organisation 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 clauses (d) and (e)

The manner of appointment of Pro-Vice-Chancellor.

13. (1) The Chancellor may, in consultation with the Vice-Chancellor, appoint a Pro-Vice-Chancellor for the university which has more than 150 affiliated colleges and recognised institutions.

(2) The Pro-Vice-Chancellor shall be a person who has held the post of professor, or principal of a college or an institution with not less than 15 years teaching experience.

(3) The term of Pro-Vice-Chancellor shall be co-terminus with the term of office of the Vice-Chancellor or till he attains the age of 60 years whichever is earlier.

(4) The Pro-Vice-Chancellor shall be a full time salaried officer of the university, and the pay and allowances admissible to him as well as the terms and conditions of his service shall be such as determined by the State Government.

(5) When the office of the Pro-Vice-Chancellor falls vacant or when the Pro-Vice-Chancellor is, by reasons of illness or absence or any other cause, unable to perform the duties of his office, the Chancellor, upon the recommendation of the Vice-Chancellor may appoint a suitable person qualified to be appointed as Pro-Vice-Chancellor to officiate as Pro-Vice-Chancellor, till the Pro-Vice-Chancellor resumes office, or a new Pro-Vice-Chancellor assumes duties as the case may be.

(6) The provisions of Sub-section (13) of section 12 shall m*utatis mutandis* for removal of the Pro-Vice-Chancellor

Powers and duties of Vice-Chancellor.

14. (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 of the university, but shall not be entitled to vote thereat, unless he is the Chairman 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 so to do.

(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 the Act, Statutes, Ordinances and Regulations are strictly observed and that the decisions of the authorities, bodies and committees which are not inconsistent with the Act, Statutes, Ordinances or 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 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, 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 would, 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.

(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 the Vice-Chancellor may, for the time being, regulate 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 who are appointed on the recommendations of the selection committee constituted for the said purpose.

(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 Chairman of the authorities or bodies or committees of the university the Vice-Chancellor shall be empowered to suspend a member from the meeting of the authority, body or committee for persisting to obstruct or stall the proceedings or for indulging in behaviour unbecoming of a member, and shall report the matter accordingly, to the Chancellor.

(12) The Vice-Chancellor shall place before the Management Council a report of the work of the university periodically as provided under the Ordinances.

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

(14) (a) The Vice-Chancellor shall have the right to cause an inspection to be made by such person or persons or body of persons as he may direct, of the university, its buildings, laboratories, libraries, museums, workshops and equipments and of any institution, affiliated, conducted or autonomous college, hall or hostel maintained or recognised 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 college or recognised institutions;

Provided that, the Vice-Chancellor shall, in the case of affiliated college or recognised institution, give notice to the management of such affiliated college or recognised institution of his intention to cause an inspection or an inquiry to be so made ;

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

(b) after considering such representation, if any made, the Vice-Chancellor may cause such inspection or inquiry to be made or may drop the same;

(c) 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;

(d) 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;

(e) the management shall communicate to the Vice-Chancellor such action, if any, as it proposes to take or has been taken by it;

(f) where the management, does not, within the time fixed by the Vice-Chancellor, taken action to his satisfaction, the Vice-Chancellor shall place before the Management Council the inspection or inquiry report and explanation furnished or representation made by the management, for its consideration.

Deans of Faculties.

15. (1) There shall be a Dean for each faculty. He shall be an academic officer of the university concerned with and responsible for implementation of the academic policies approved by the Academic Council in respect of academic development, maintenance of standards of teaching and research and training of teacher within his faculty.

(2)(a) The Dean of faculty shall be elected by the members of the faculty from amongst themselves and shall not be, eligible for election for a second consecutive term.

(b) No member assigned by the academic council on the faculty shall be eligible to contest the election to the post of the Dean.

(3) The Dean shall convene meetings of the faculty, as and when required, in consultation with the Vice-Chancellor and shall preside over the same. He shall

formulate the policies and development programme of the faculty and present the same to the appropriate authorities for their consideration.

(4) The Dean shall be responsible for the academic development of the faculty and shall ensure proper implementation of the decisions of the Management Council, Academic Council, Board of College and University Development and the Board of Examinations in respect of his faculty and the decisions of the faculty and the Boards of Studies under his purview.

(5) Subject to the superintendence, direction and control of the Vice-Chancellor, the Dean shall, after taking such advice as he thinks necessary, decide upon the grievances of students regarding the enrolment, eligibility, migration, scholarships, studentships or freeships, grant of terms, admission to university examinations

(6) The Dean shall enquire, on being directed by the Academic Council, into any malpractice related to any academic programme in his faculty by a university department, affiliated or conducted college or recognised institution and report the findings to the Academic Council.

(7) The Dean shall prepare proposals for the award of fellowships, scholarships and other distinctions in his faculty for submission to the Academic Council.

Director of Board of College and University Development.

16. (1) The Director of the Board of College and University Development shall be nominated by the Vice-Chancellor, from amongst professors of the university, institutions, or departments or principals with fifteen years teaching experience. He shall be a full-time salaried officer .

(2) The Directors shall be -

(a) the principal academic planning and academic audit officer for the academic development programmes, including post-graduate teaching, research and extension programmes and collaborative programmes of the university;

(b) the Secretary of the Board of College and University Development and shall conduct academic audit of university departments or institutions, recognised institutions, post-graduate centres and affiliated colleges as the Board may direct and on receiving complaints suo-muto.

(c) responsible for ensuring that the decisions of the Board for 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) 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 utilisation;

(e) responsible for establishing liaison for fostering and promoting collaboration between the university, colleges and national and international institutions and scientific, industrial and commercial organisations;

(f) responsible for submitting 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.

(3) The term of the Director shall be co-terminus with that of the Vice-Chancellor or till he attains the age of superannuation, which ever is earlier.

Registrar.

17. (1) The Registrar shall be appointed by the Vice-Chancellor on the recommendation of a selection committee constituted for the purpose.

Provided that, if the post has remained, vacant for a period of six months from the date the post has fallen vacant the State Government shall appoint, on deputation, a suitable person possessing the qualifications prescribed by the University Grants Commission to perform the duties of the Registrar for a period of not more than one year at a time and not more than three years in the aggregate or till the new Registrar is duly appointed by the Vice-Chancellor whichever is earlier.

(2) 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.

(3) Appointment of the Registrar shall be for a term of five years and he shall be eligible for re-appointment only one more term of five years. The qualifications and experience for the purpose of selection of the Registrar shall be as laid down by the University Grants Commission and approved by the State Government.

(4) When 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 Registrar resumes duty.

(5) The Registrar shall act as Secretary of the Senate, Management Council, Academic Council and such other authorities, bodies and committees as prescribed by or under this Act.

(6) The Registrar shall 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.

(7) Subject to the decision of the authorities of the university, the Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the university.

(8) The Registrar shall 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.

(9) The Registrar shall conduct elections as per the programme approved by the Vice-Chancellor.

(10) The Registrar shall prepare and update the Handbook of the Statutes, Ordinances and Regulations approved by the authorities, bodies or committees from time to time, and make them available to all the respective members of the authorities and officers of the university.

(11) The Registrar shall receive complaints and suggestions in regard to the improvement of administration and consider them for appropriate action.

(12) The Registrar shall exercise such other powers and perform such other duties as prescribed by or under the Act or assigned to him, from time to time, by the Vice-Chancellor.

Controller of Examinations.

18. (1)(a) Controller of Examinations shall be appointed by the Vice-Chancellor on the recommendations of a selection committee constituted for the purpose;

Provided that, if the post has remained vacant for a period of six months from the date the post has fallen vacant, the State Government shall appoint, on deputation, a suitable person having prescribed qualifications, to perform the duties of the Controller of Examinations for a period of not more than one year at a time and for not more than three years in the aggregate or till the new Controller of Examinations is duly appointed by the Vice-Chancellor, whichever is earlier. :

(b) the Controller of Examinations shall be the principal officer-in-charge of the conduct of examinations and tests of the university and declaration of their results. He shall discharge his functions under the superintendence, direction and guidance of the Board of Examinations. He shall be a full-time salaried officer of the university and shall work directly under the directions and control of the Vice-Chancellor ;

(c) his appointment shall be for a term of five years, and he shall be eligible for re-appointment for only one more term of five years. The qualifications and

experience for the purpose of selection of the Controller shall be such as may be prescribed.

(2) The Controller shall be the Member-Secretary of the Board of Examinations and of the committees appointed by the board except the committees constituted under Section 32(5)(a) for appointment of paper-setters, examiners and moderators. He shall be responsible for prompt and proper implementation of their decisions.

(3) Without prejudice to the generality of the provisions of sub-section (1)(b), the controller shall be responsible for making all arrangements necessary for holding examinations and tests and declaration of results. It shall be his responsibility, -

(a) to prepare and announce in advance the calendar of examinations;

(b) to arrange for printing of question papers;

(c) to arrange to get performance of the candidates at the examinations properly assessed, and process the results;

(d) to arrange for the timely publication of results of examinations and other tests;

(e) to 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;

(f) to take disciplinary action where necessary against the candidates, paper-setters, examiners, moderators, or any other persons connected with examinations and found guilty of malpractices in relation to the examinations;

(g) to review from time to time, the results of university examinations and forward reports thereon to the Academic Council.

(4) The Controller shall exercise such other powers and perform such other duties as may be prescribed or assigned to him, from time to time, by the Board of Examinations.

Librarian.

19. (1) (a) Where, in a university, there is a department of library science, the head of that department, not below the rank of Reader, shall ex-officio, function as the Librarian,

(b) Where, in a university, there is no department of library science, or where the head of the department is below the rank of reader, the Librarian shall be the principal officer of the university library. He shall be full-time salaried officer of the university. He shall work directly under the control of the Vice-Chancellor.

(2) The Librarian shall be appointed by the Vice-Chancellor on the recommendation of a selection committee constituted for the purpose. His qualifications, emoluments, and terms and conditions of services shall be as

recommended by the University Grants Commission and approved by the State Government.

(3) When the office of the Librarian falls vacant, or when the Librarian is, by reason of illness or absence or any other cause unable to perform the duties of his office, such duties shall be performed for the time being, by such person as the Vice-Chancellor may appoint, for the purpose, for a period nor exceeding six months or until a new Librarian is appointed, or the Librarian resumes his duties, whichever is earlier.

(4) The Librarian shall be responsible for the development, modernisation, upkeep and management of the university Library or libraries and shall be responsible for maintaining the standards of teaching, research and professional skills in library-science, in the university department of library science, if any, and offer his help and advice in this respect to the librarians or libraries of affiliated college or recognised institutions.

(5) The Librarian shall be custodian of all books, periodicals, manuscripts journals and library equipment, and shall ensure that no irregularities take place and that the books, periodicals, manuscripts, journals and library equipments are not lost. He shall cause periodical verification of stock. He shall have the right to advise the university on all matters including those for mobilising additional resources to meet the development expenditure of the university library or libraries.

(6) the Librarian shall be Member Secretary of the Library Committee and shall ensure proper implementation of the decisions taken by the Library Committee

The Finance and Accounts Officer.

20. (1)(a) The Finance and Accounts Officer shall be the principal finance, accounts and audit officer of the university. He shall be full-time salaried officer and shall work directly under the control of the Vice-Chancellor;

(b) The Finance and Accounts Officer shall be appointed by the Management Council either by nomination or by obtaining the services of a suitable officer on deputation from the Government of India or State Government .

(c) The appointment of the Finance and Accounts Officer shall be for a term of five years if appointed by nomination and he shall be eligible for re-appointment for only one more term of five years.

(2) The Finance and Accounts Officer shall be the Member-Secretary of the Finance and Accounts Committee. He shall have the right to be present, speak and otherwise take part in the proceedings of the Management Council on matters which have financial implications but shall not be entitled to vote.

(3) The Finance and Accounts Officers maintain minutes of the meetings of Finance and Accounts Committee and the committees appointed by the Finance and Accounts Committee.

(4) The Finance and Accounts Officer shall be responsible for presenting the annual budget, statement of accounts and audit reports, to the Finance and Accounts Committee and to the Management Council .

(5) The duties of the Finance and Accounts Officer shall be to-

(a) exercise general supervision over the funds of the university, and shall 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 any of the objects of the university ;

(c) ensure that the limits fixed by the university for recurring and non recurring expenditure for a years 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 case and bank balance and of investments;

(e) keep watch on the progress of collection of revenue and advise the Vice-Chancellor on the methods to be employed for collection;

(f) have the account of the university audited regularly;

(g) ensure that the registers of buildings, land, equipment and machinery are maintained up-to-date and that the stock taking of equipments and other consumable materials in all offices, conducted colleges, workshops and stores of the university is conducted regularly;

(h) propose to the Vice-Chancellor that explanation be called for unauthorised expenditure or other financial irregularities from any academic member of university;

(i) propose to the registrar that explanation be called from any non-academic member for unauthorised expenditure or irregularities in any particular case, and recommend disciplinary action against the persons at fault;

(j) call for from any office, centre, laboratory, conducted colleges, department of the university or university institution, for any information and returns that he thinks necessary for the proper discharge of his financial responsibilities; and

(k) exercise such other powers, perform such other duties, and discharge such other financial functions as are assigned to him by the Vice-Chancellor or are prescribed by the Ordinances.

Director of Students' Welfare.

21. (1) The Director of Students' Welfare shall be nominated by the Vice-Chancellor, from amongst the teachers. The emoluments, terms and conditions of service and powers and duties shall be as prescribed by the Ordinances. He shall work directly under the control of the Vice-Chancellor.

(2) The Director shall hold office for a term of two years and shall be eligible for re-appointment.

Director of Adult and Continuing Education and Extension Services.

22. (1) The Director of Adult and Continuing Education and Extension Services shall be a full time salaried academic officer and shall be appointed by the Vice-Chancellor on the recommendation of a selection committee, consisting of --

(a) the Vice-Chancellor – Chairman;

(b) two experts in the field, nominated by the Management Council;

(c) two nominees of the Board of Adult and Continuing Education and Extension Services.

(2) The emoluments and terms and conditions of service of the Director shall be prescribed by the Ordinances.

(3) The Director shall be the Member-Secretary of the Board of Adult and Continuing Education and Extension Services and shall be responsible for organising and co-ordinating the adult education, continuing education and extension programmes of the university under the overall guidance and advise of the Board. He shall prepare annual report of the adult and continuing education programmes and extension service of the university for the approval of the Board and for submission to the Management Council.

(4) The Director of Adult and Continuing Education and Extension Services shall work directly under the control of Vice-Chancellor.

Officers, members of authorities, bodies and employees of university as public servent.

23. 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

24. 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 College and University Development,

(5-A) Board of University Teaching and Research.

(6) the Board of Studies,

(7) the Board of Inter-disciplinary studies,

(8) the Board of Examinations,

(9) the Board of Adult and Continuing Education and Extension Services,

(10) the Student's Council,

(11) such other bodies of the university as are designated by the Statutes to be the authorities of the university.

Senate.

25. (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 Chancellor;

(b) The Vice-Chancellor;

(c) The Pro-Vice-Chancellor, if any;

(d) The Director of Higher Education or his nominee not below the rank of joint Director;

(e) The Director of Technical Education;

(f) The Director of Medical Education;

(g) The Director, Board of College and University Development;

(h) The Director of Students' Welfare;

(i) The Librarian of the University library;

(j) One head of the Academic Services Units of the University, by rotation as prescribed;

(k) The Director of Adult and Continuing Education and Extension Services;

(l) Eighteen principals, of the affiliated, conducted and autonomous college, of whom not less than two shall be women 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, by rotation elected by the electoral college consisting of principals;

(m) Eight representatives of the Managements of affiliated colleges or recognised 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 eight representatives, two shall be women 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, by rotation.

(n) The president and the secretary of the University's students' Council,

(o) The Registrar, who shall act as the Secretary of the Senate;

(p) Twenty teachers of which three shall be women and two shall be persons belonging to the Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*)/Nomadic Tribes or Other Backward Classes, 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 recognised institutions, elected by the teachers from amongst themselves, these seats being allotted faculty wise proportionately and the election shall be faculty wise proportionately but voting to be in common;

(q) Two members of the State Legislative Assembly and two members of the State Legislative Council, elected by the respective House of the State Legislature, of which they are members;

(r) Ten members from the registered graduates of the university elected by electoral college constituted as provided in sub-section (5) of section 99, of whom one shall be a woman and one each shall be from the category of Scheduled Castes, Scheduled Tribes, Denotified Tribes (V*imukta Jatis)* Nomadic Tribes and other Backward Classes;

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 ;

(s) Seven persons, nominated by the Chancellor, who shall include distinguished Educationist, scholars, social workers, women, persons belonging to the minorities, backward communities, industry and professions;

(t) Two persons from amongst the heads of recognised institutions nominated by the Chancellor;

(u) Three persons from amongst heads of the university department or of the university institutions not the below the rank of reader, nominated by the Vice-Chancellor ;

(v) Deans of the Faculties;

(w) Two persons, nominated by the Vice-Chancellor one of whom shall be an employee of the university and other shall be from amongst the employees of the affiliated colleges or recognised institutions other than university teachers, teachers, registrars, deputy registrars, assistant registrars;

(x) One representative of the donor individuals or donor organisations, nominated by the Chancellor;

(y) Five post graduates teachers, having not less than five years teaching experience at the post graduate level, elected by the post graduates teachers from amongst themselves of which two shall be women 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, by rotation;

(z) One representative of the Education Committees of Zilla Parishad within the university area, nominated by the Vice-Chancellor 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.

(3) The Chancellor shall normally preside over the Senate and in his absence the Vice-Chancellor shall preside.

(4) The Senate shall meet at least twice a year on the date to be fixed by the Chancellor. One of the meetings shall be the annual meeting.

Functions and duties of Senate.

26. (1) The Senate shall transact the following business at its annual meeting, namely :-

(a) review current academic programmes and collaborative programmes;

(b) suggest new academic programmes consistent with the societal requirements in higher education;

(c) suggest measures for improvement and development of the university;

(d) suggest institution of new degrees, diplomas, certificates and other academic distinctions; and

(e) confer, on the recommendations of the Management Council, honorary degrees or other academic distinctions.

(2) The Senate shall receive, discuss and approve the annual financial estimate (budget), the annual reports, accounts and audit reports of the university.

(3) The Senate shall review broad policies and programmes of the university and suggest measures for its improvement and development.

Management Council.

27. (1) The Management Council shall be the principal executive authority to formulate statutes and forward the same to the Senate for approval and make Ordinances to administer the affairs of the university and shall carry out all such duties which are not specifically assigned to any other authority. It shall consist of the following members, namely:-

(a) The Vice-Chancellor; Chairman;

(b) The Pro-Vice-Chancellor, if any;

(c) One Dean, elected by the Senate from amongst the Deans;

(d) One person nominated by the Chancellor;

(e) The Secretary, Higher Education or his nominee not below the rank of Deputy Secretary or Joint Director of Higher Education;

(f) The Director of Technical Education or his nominee not below the rank of Joint Director;

(g) The Director of Higher Education or his nominee not below the rank of Joint Director of Higher Education;

(h) One head or Director, nominated by the Senate, from amongst the heads or Directors of university departments or university institutions;

(i) The Director, Board of college and University Development;

(j) Two principals, elected by the Senate from amongst the principals, who are members of the Senate of whom one principal shall be a person belonging to the category of the Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*)/Nomadic Tribes or Other Backward Classes, by rotation;

(k) One teacher from the university department or university institutions with ten years post graduate teaching experience, who is not a Head or Director of university department or university institution, elected by the Senate from amongst the teachers, who are the members of the Senate.

Provided that, if no teacher from the university department or university institutions with ten years post-graduate teaching experience is available then the teacher from the university department or university institutions with lesser experience but, in any case not less than five years post-graduate teaching experience may be considered ;

(l) Two teachers from amongst the teachers of the affiliated colleges with sixteen years teaching experience, who is not principal, elected by the Senate from amongst the teachers of the affiliated colleges who are members of the Senate of whom one shall be women ;

(m) One person, who is not Dean, Head or Director of University department, principal, teacher student member or representative of the management, elected by the Senate from amongst its members;

(n) Three persons elected by the Academic Council from amongst its members as prescribed by Statutes :

Provided that not more than one person shall be from one faculty as prescribed by the Statutes.

(o) two representatives of the management, elected by the Senate from amongst the representatives of the management of whom one shall be a woman representative;

(3) The Finance and Accounts Officer and the Controller of Examinations shall be permanent invitees of the Council, but they shall have no right to vote.

(4) There shall be not less than four meetings of the Management Council in a year and the rules of 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.

Powers and duties of Management Council.

28. The Management Council shall exercise the following powers and perform the following duties, namely :-

(a) make such provisions, as may enable colleges and institutions to undertake specialised studies and, where necessary or desirable, organise and make provision

for common laboratories, libraries, museums and equipment for teaching and research;

(b) establish departments, colleges, schools, institutions of higher learning, research and specialised studies, hostels and provide housing for staff, on the recommendation of the Academic Council;

(c) make, amend or repeal Ordinances and prepare draft Statutes and make such recommendations thereon to the Senate as it thinks fit;

(d) hold, control and arrange for administration of assets and properties of the university;

(e) present the budget estimates as received from the Finance and Accounts Committee with its own modifications, if any, to the Senate for its final approval;

(f) enter into, vary, carry out and cancel contracts on behalf of the university;

(g) determine the form of a common seal for the university, and provide for its custody and use;

(h) accept, on behalf of the university, trusts, bequests, donations and transfer of any movable or immovable property to the university;

(i) transfer by sale, or otherwise, any movable property on behalf of the university;

(j) borrow, lend or invest funds on behalf of the university as recommended by the Finance and Accounts Committee;

(k) lay down policy for administering funds at the disposal of the university for specific purposes;

(l) provide buildings, premises, furniture, apparatus and other means needed for the conduct of the work of the university;

(m) recommend to the Senate conferment of honorary degrees and academic distinctions;

(n) 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;

(o) institute fellowships, travelling fellowships, scholarships, studentships, exhibitions, awards, medals and prizes, and prescribed rules therefor in accordance with the Regulations made in this behalf;

(p) make Regulations for collaboration with other universities, institutions and organisations for mutually beneficial academic programmes recommended by the Board of College and University Development;

(q) create posts of university teachers and non-vacation academic staff on the recommendation of the Academic Council as and when required;

(r) lay down by Statute, on the basis of qualifications and terms and conditions of service and other guidelines approved by the State Government from time to time, and the procedure for appointment of university teachers and non-vacation academic staff and fix their emoluments and norms of workload and conduct and discipline;

(s) create posts of officers and other employees of the university, subject to prior approval of the State Government;

(t) lay down by Statutes the procedures for appointment of officers and other employees of the university, qualifications, mode of recruitment, pay scales, terms and conditions of service including conduct, discipline and their duties;

(u) prescribe by Statutes procedure for appointment of teachers, officers and other employees in all institutions and colleges affiliated to the university, terms and conditions of their service and rules and procedures for their appointments;

(v) prescribe fees and other charges;

(w) prescribe honoraria, remunerations and fees and travelling and other allowances for paper-setters and other examination staff, visiting faculty, and for such other services rendered to the university ;

(x) receive and consider report of the working of the university from the Vice-Chancellor periodically as provided by the Ordinances;

(y) prepare academic calender of the university as per the Statutes, and guidelines from the University Grants Commission for next academic year before the expiry of the current academic year;

(z) confer autonomous status on university departments, affiliated colleges and recognised institutions on the recommendation of the Academic Council subject to the predetermined norms approved by the State Government having regard to the guidelines of the University Grants Commission;

(aa) consider the perspective plan for the academic development of the university , prepared by the Board of College and University Development;

(bb) assess and approve the feasibility of proposals from the Academic Council for academic programmes;

(cc) consider and adopt the annual report, annual accounts and audit report and forward them to the Senate for approval;

(dd) 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 ;

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

Academic Council

29. (1) The Academic Council shall be responsible for lying down the academic policies in regard to maintenance and improvement of standards of teaching, research, extension collaboration programmes in academic matters and evaluation of work-load of the teachers.

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

(a) the Vice-Chancellor, Chairman;

(b) the Pro-Vice-Chancellor, if any;

(c) the Deans of Faculties;

(d) Chairman of the Board of Studies;

(e) The Director of the Board of College and University Development;

(f) Eight principals of whom two shall be women 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, by rotation of conducted, autonomous or affiliated colleges to be elected by the principals from amongst themselves;

(g) One professor from amongst the professors in the university departments or institutions, nominated by the Vice-Chancellor;

(h) One teacher representing each faculty to be co-opted by the Academic Council from amongst the teachers having not less than sixteen years' teaching experience, other than principals of colleges, Heads of university departments and Heads of recognised institutions;

(i) one head of a recognised institution, nominated by the Vice-Chancellor;

(j) one head or director of an academic services unit of the university, nominated by the Vie-Chancellor;

(k) two eminent experts in the field of higher education, nominated by the Chancellor;

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

(l-A) the Director of Technical Education, Maharashtra State or his nominee not below the rank of Joint Director;

(m) the Chairman of the Maharashtra State Board of Secondary and Higher Secondary Education or his nominee not below the rank of Divisional Chairman of the Board.

(n) Two representatives of the managements, elected by the electoral college, consisting of the President, Chairman or a nominee of each management from

amongst themselves. Where the management conducts more than one college or recognised institutions, only one nominee of the management shall be a member of the electoral college;

(3) The Controller of Examinations shall be a permanent invitee and he shall have right to speak on matters pertaining to examinations.

(4) The Academic Council shall meet not less than twice a year.

Powers and duties of the Academic Council.

30. (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 examinations in the university.

(2) Without prejudice to the generality of the foregoing provisions, the Academic Council shall exercise the following powers and perform the following duties, namely:-

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

(b) recommend to the Management Council to make, amend or repeal Ordinances on issues related to academic matters;

(c) make, amend or repeal Regulations on matters specified in section 55 of the Act;

(d) allocate subjects to the faculties and assign faculty to each principal who is member of the Academic Council.

(e) make proposals for the establishment of conducted colleges, schools, departments, institutions of higher learning, research and specialised studies, academic services units, libraries, laboratories and museums in the university;

(f) consider and make recommendations regarding new proposals for creation of professorships, associate professorships, readerships lecturerships and non-vocational academic staff required by the university;

(g) recommend to the State Government or otherwise of the qualifications as prescribed by the University Grants Commission for different categories of teachers and non-vacational academic staff, and for a particular post in these categories, whether in the university or in the any affiliated college or a recognised institution, and prescribe additional qualifications, if any;

(h) make proposal to the Management Council for the institution of fellowships, travelling fellowships, scholarships, studentships, medals and prizes and make regulations for their award;

(i) prescribe qualifications and norms for appointment of papers setter, examiners, moderators and others, concerned with the conduct of examinations;

(j) appoint committees to review periodically the utility and practicability of the existing courses of study and the desirability or necessity of reviewing or modifying them in the light of new knowledge or changing societal requirements;

(k) make proposal for the conduct of interfaculty and area or regional studies, common facilities, such as instrumentation centres, workshops, hobby centres, museums, etc.;

(l) prescribe norms for recognition of any member of the staff of an affiliated college or recognised institution as a teacher of the university;

(m) 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 specialised studies;

(n) grant affiliation to colleges or institutions in accordance with the provisions of the Statutes, Ordinances and Regulations;

(o) accord recognition to institutions of higher learning, research or specialised studies on the recommendation of the committees appointed by the Council;

(p) recommend to the Management Council conferment of autonomous status on university institutions, departments, affiliated or conducted colleges and recognised institutions in accordance with the provisions of Statutes;

(q) make proposals to the Management Council to prescribe fees and other charges;

(r) generally, advice the university on all academic matters and submit to the Management Council the details of the academic calendar and feasibility reports on academic programmes recommended by the Senate at its last annual meeting.

(s) exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act, the Statutes, Ordinance, and Regulations.

Board of Examinations

31. (1) The Board of Examinations shall be the authority for conducting the examinations and making policy decisions in regard to organising and holding examinations, improving the system of examinations appointing the paper setters, examiners, moderators, and also prepare the schedule of dates of holding examinations and declaration of the results. The Board of Examinations shall also oversee and regulate the conduct of examinations in the autonomous colleges, institutions and University departments. The Board shall submit the detailed programme of examinations to the Academic Council for preparation of the Academic calendar.

(2) The Board of Examinations shall deal with all the matters in relation to examinations and shall hear and decide the complaints received pertaining to any

matter arising out of conduct of examinations. The procedure to be followed by the Board in their deliberations shall be such as may be prescribed.

(3) The Board of Examinations shall consist of the following members, namely:-

(a) Vice-Chancellor, Chairman;

(b) Pro-Vice-Chancellor, if any;

(c) The Dean of the faculty concerned with the examination;

(d) One head of university department, not below the rank of Reader, nominated by the Vice-Chancellor;

(e) One principal other than Dean, nominated by the Management Council;

(f) One teacher other than heads of university departments or principals, nominated by the Management Council.

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

(h) One evaluation expert, co-opted by the Board;

(i) Controller of Examinations, Member-Secretary;

Powers and duties of Board of Examinations.

32. (1) The Board of Examinations shall ensure proper organisation of examinations and tests of the university, including moderation, tabulation and the declaration of results.

(2) The Board shall meet at least once in each academic term.

(3) In particular and without prejudice to the generality of duties as mentioned in sub-section (1), the Board shall exercise the following powers and perform the following duties, namely :-

(a) 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 (b) of sub-section (6) remove them or debar them;

(b) to undertake, exercise and experiment in examination reforms;

(c) to exercise such other powers in relation to examinations as may be assigned to it by or under the Act.

(4) In case of any emergency requiring immediate action to be taken, the Chairman of the Board or any other officer or person authorised by him in that behalf, shall take such action as he thinks fit and necessary, and shall report at the next meeting of the Board the action taken by him.

(5) (a) In order to appoint paper-setters, examiners and moderators, the Board of Examinations shall constitute committees for every subject consisting of , -

(i) the Pro-Vice-Chancellor, if any, Chairman;

(ii) the Dean of the concerned faculty;

(iii) the Chairman of the concerned Board of Studies;

(iv) two members of the Board of Studies nominated by it from amongst its members of whom atleast one shall be a Post-Graduate teacher.

Provided that, where a Pro-Vice-Chancellor is not appointed in a university the Dean of the concerned faculty shall be the Chairman :

(b) The Controller of Examinations shall act as Secretary of such committees;

(c) 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 Examination Board, which shall then appoint paper-setters, examiners and moderators, and where necessary referees;

(d) No member of the Board of Examinations or the committees shall be appointed as paper-setter, examiner, moderator or referee;

(e) The Committee shall obtain three sets of question papers in sealed covers in the respective subject. The Chairman of the committee shall draw at random one of such sealed covers containing question papers. This sealed cover with seals intact shall then be sent to the press.

(f) Assessment of answer books for all degree examinations shall be done centrally through central assessment system. All the answer-books of an examination shall be collected at a convenient central place. The answer books then will be given code numbers and will be masked. All the examiners will attend the central assessment centres and they will assess the answer books at the centre only. The answer-books will then be demasked and the result sheets will be prepared by tabulators and/or moderators.

Provided that, the university may, adopt the same system for post-graduate courses as well whenever it considers it expedient and practicable.

Provided further that, the university may adopt an alternative system to the masking and de-masking system for ensuring objective of secrecy as provided above.

(g) It shall be obligatory on every teacher and on the non-teaching employee of the university, affiliated, conducted or autonomous college or recognised institution to render necessary assistance and service in respect of examinations of the university. 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.

(6) (a) In order to investigate and take disciplinary action for, mal-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 shall constitute a committee of not more than five persons of whom one shall be Chairman;

(b) Such a committee shall submit its report and recommendations to the Board of Examinations which shall take disciplinary action in the matter as it deems fit against the person or persons involved in the mal-practices, directly or indirectly.

(7) The Board shall prepare the financial estimates for incorporation in the budget of the university and shall submit the same to the Finance and Accounts Committee.

(8) The Board shall arrange for strict vigilance during the conduct of the examinations so as to avoid use of unfair means by the students, teachers, invigilators, supervisors, etc.

Faculties.

33. (1) The faculties shall be the principal academic co-ordinating authorities of the university in respect of studies and research in relation to the subjects included in the faculty, and also in respect of studies and research in multi-faculties.

(2) The university shall have such faculties as are prescribed by the Statutes.

(3) A faculty shall be constituted, divided, combined with or abolished, only with the approval of the Academic Council and as prescribed by the Statutes.

(4) The faculty shall comprise such subjects as are prescribed by the Statutes.

(5) the faculty shall consist of the following members -

(a) the Dean of the faculty – ex officio Chairman;

(b) Chairman of each Board of Studies, for the subjects comprised in the faculty;

(c) Three members of each Board of Studies to be elected by the members of the Boards of Studies from amongst themselves out of whom at least one shall be a post graduate teacher.

(d) The principal and teacher assigned to the Faculty by the Academic Council, from amongst its members.

Powers and duties of Faculty.

34. The faculty shall have the following powers and duties, namely :-

(a) to consider and report on any matter referred to it by the Management Council, Academic Council or Board of College and University Development or the Board of University Teaching and Research.

(b) to consider and approve recommendations of the Board of Studies in the faculty, and matter related to more than one Board of Studies not affecting any other faculty, and recommend to the Academic Council for action as it thinks fit;

(c) to consider and recommend to the Academic Council, the academic matters which affect any other faculty or faculties or which involve administrative or financial implications and approve the academic matter, within its purview, such as approval of publication, improvement of courses, organisation of orientation or refreshers courses, etc. and not involving administrative or financial implications;

(d) to consider and recommend to the Academic Council establishment of new course, inter-disciplinary courses and short-term training programmes, referred to it by the Board of University Teaching and Research the Boards of Studies or Board of Inter-disciplinary Studies, if any, constituted by the Statutes;

(e) to make recommendations to the Board of College and University Development in respect of the requirements regarding the conduct of post-graduate or under-graduate instruction, teaching, research and training in university institutions or departments, affiliated colleges and recognised institutions with reference to the man power development;

(f) to ensure that guidelines and rules framed for the following matters by the Academic council are implemented :-

(i) long –term curriculum development ;

(ii) faculty development;

(iii) teaching or learning material development ;

(iv) research in educational matters with particular reference, to colleges;

(g) to plan and organise inter-departmental and inter-faculty programmes in consultation with the Board of University Teaching and Research the Board of Studies, other faculties, Board of College and University Development;

(h) to recommend to the academic staff college and the Academic Council regarding organisation of refresher and orientation courses for teachers of affiliated colleges and university departments especially for the revised or newly introduced or inter-disciplinary courses of study;

(i) to elect the Deans of the faculties;

(j) to prepare and submit the annual report of the functioning of the faculty to the Vice-Chancellor;

(k) to consider any other academic matter which may be referred to it.

Board of College and University Development

35. (1) The Board of College and University Development shall be responsible to plan development of the university, both physical and college academic, and it shall conduct academic audit of the university departments, institutions, colleges and recognised institutions. It shall also plan, monitor, guide and co-ordinate undergraduate and post-graduate academic programme and development of affiliated colleges.

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

(a)	the Vice-Chancellor; ……..	Chairman
(b)	the Pro-Vice-Chancellor, if any;	
(c)	one Dean of faculty, nominated by the Academic Council;	
(d)	one Head or Director from amongst the Heads or directors of the university institutions or departments, not below the rank of professor and who is not a Dean nominated by the Academic Council;	
(e)	one teacher, imparting post-graduate instruction or guiding research, but who is not a Dean, Head of the university institutions or departments nominated by the Vice-Chancellor;	
(f)	one teacher imparting under-graduate instruction having not less than sixteen years of teaching experience, nominated by the Management Council;	
(g)	one principal of an affiliated college of arts, science or commerce, nominated by the Management Council from amongst the principals who are members of the Academic Council;	
(h)	one principal of an affiliated professional college, nominated by the Vice-Chancellor;	
(i)	two experts, co-opted by the Board, from amongst the Heads of National and State level research institutions;	
(j)	two persons to represent industry, banks, commerce or professional bodies to be nominated by the Vice-Chancellor;	
(ja)	two members nominated by the Senate, one of them being the representative of the managements;	
(k)	the Director of the Board of College and University Development;	Member Secretary;

Provided that, the members nominated in categories (c) to (h) above shall, as far as practicable, be drawn from different faculties.

(3) The Board shall actively establish collaboration with national and international institutions, industry, business and commercial organisations.

(4) The Board shall meet at least twice a year.

Powers and duties of Board of College and University Development.

36. The Board Shall, -

(1) suggest measures to create links and develop specific schemes of inter-university and university and college interaction with industry, agriculture, banks, commerce and community.

(2) prepare university and college perspective development plans, both short-term and long-term, keeping in view the objectives of the university as laid down in the Act, and with due regard to the State and National Educational Policy and submit the same to the Maharashtra State council for Higher Education, the State Government and the Chancellor.

(3) recommend to the Management Council the development and collaborative programmes for the departments, colleges and the university.

(4) monitor and report the progress of all such approved development and collaborative programmes to the Management Council and submit the same to the Maharashtra State Council for Higher Education, the State Government and the Chancellor once a year.

(5) evaluate and assess the use of grants by university departments, post-graduate centres and colleges in respect of development projects and submit the report to the Academic Council.

(6) assess the manpower requirements of trained persons in different fields, such as, commerce, industry, social service, science and technology and make necessary recommendations to the Academic Council introducing and strengthening of relevant courses of study.

(7) Organise academic audit of development and collaborative programmes of university, institutions or departments, post-graduate centres and colleges, according to the provisions of the Statutes at least once in three years or earlier, if deemed necessary and make necessary recommendations to the university for implementation.

(8) scrutinise the applications received for establishment of new colleges or institutions for affiliation to the university and process the same for forwarding to the State Government as provided by the Statutes.

Board of University Teaching and Research.

36A. (1) There shall be a Board of University Teaching and Research for each university.

(2) The Board of University Teaching and Research for Faculty shall consist of the following members -

(i)	Vice-Chancellor	Chairman
(ii)	the Pro-Vice-Chancellor, if any,	Member
(iii)	the Dean of the Faculty,	Member
(iv)	the Head of the University Departments in the Faculty	Member
(v)	the Chairman of the Board of Studies in the Faculty,	Member
(vi)	the Director, Board of College and University Development,	Member Secretary

(3) The Board shall -

(i) control, regulate and co-ordinate research activities to maintain standards of teaching and research in the University Departments, Post-graduate Departments in colleges and recognised institutions;

(ii) make recommendations to the Academic Council regarding the conduct of post-graduate courses in University Departments, Post-Graduate Departments in colleges and recognised Institutions;

(iii) make recommendations to the Academic Council regarding the norms of recognition of post-graduate teachers and research guides in Post-Graduate Departments in colleges and recognised institutions;

(iv) 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;

(v) approve the course structure for Ph.D., pre-Ph.D. and M.Phil. courses.

(4) The Board shall be responsible for post-graduate teaching and research in various faculties and subjects and shall ensure standards of research. It shall deal with the work of granting recognition to teachers in affiliated colleges and recognised institutions for post-graduate teaching and guiding research.

(5) There shall be a Research and Recognition Committee for each Board of Studies. The Committee shall consist of -

(i)	the Pro-Vice-Chancellor,	Chairman
(ii)	the Dean of the Faculty,	Member
(iii)	the Chairman of the Board of Studies	Member

(iv)	the Head of the University Department, if any,	Member
(v)	two experts in the subject, not below the rank of Readers, who have successfully guided at least five Ph.D. students and have published research work in recognised or reputed national or international journals, anthologies, etc., one of them being from outside the University, to be nominated by the Vice-Chancellor.	Members
(vi)	an expert in the area of specialisation nominated by the Vice-chancellor, where a referee is to be appointed for evaluation of highly specialised topic or subject	Member

The nominated members shall attend the meeting only for the particular item :

Provided that, if there is no Pro-Vice-Chancellor, the Dean shall officiate as the Chairman of the Committee.

(6) The Research and Recognition Committee for a Board of Studies shall -

(i) approve the topic of thesis or dissertation in the subject.
(ii) recommend panel of referees for thesis or dissertation to the Board.(of Examination)*2
(iii) recommend names of post-graduate teachers and research guides to the Board.
(iv) advise the Board of Studies or the Faculty, on measures to improve courses of studies at the post-graduate level.
(v) Recommend to the Board, the course-structure for Ph.D. pre Ph.D. and M.Phil. Courses for approval.

Board of Studies.

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

(2) The Board of Studies shall consist of -

(a) the Head of the university department or institution in the relevant subject :

1 this sub-section were inserted.

2 ----------

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 having post-graduate teaching in that subject;

(b) six Head of Departments in colleges, having not less than ten years teaching experience, elected by the Heads of departments from amongst themselves.

(3) The Board, at its first meeting, shall co-opt. -

(a) one post-graduate teacher having not less than ten years teaching experience, from amongst the teachers of affiliated colleges having post-graduate teaching in the subject;

(b) one teacher having not less than ten year teaching experience, from amongst affiliated college teachers in the subject who is not head of the department in the university or affiliated college or principal;

(c) two eminent persons who are -

(i) either professors or readers in other universities; or

(ii) persons holding rank not lower than that of Assistant director in national laboratories or institutions or recognised institutions; or

(iii) experts in related field having published –

(a) at least one reference book in the subject or

(b) at least three research papers in recognised national or international journals.

Provided that at least one of them shall be from the category under clause (i)

(d) a person holding a rank not lower than that of Research and Development or Production Officer or Quality Control Officer in an Industry with significant presence with respect to research and development in the relevant subject."

(4) The Chairman shall be elected by the members of the Board from amongst themselves.

(5)The Chairman of the Board of Studies shall not be eligible for a second consecutive term.

Powers and duties of Board of Studies.

38. The Board of Studies shall have the following powers and duties, namely :-

(a) to recommend, upon reference to it by the Management Council or Academic Council or the faculty concerned or otherwise the courses of study in the subject or group of subjects within its purview,

Provided that, the Board may pass a special resolution, by a majority of not less than three-fourths of the members present, that the changes in the course or courses of studies be brought about expeditiously, in the light of advancement of knowledge in the subject or group of subjects. Such changes shall be so implemented, with the concurrence of the Dean of the Faculty or the Deans of the Faculties concerned, and

(i) Principal – Chairman ;

(ii) One lecturer, nominated by the principal ;

(iii) Teacher in charge of National Cadet Corps ;

(iv) National Service Scheme Programme Officer ;

(v) One student from each class, who has shown academic merit at the examination held in the preceding year and who is engaged in full-time studies in the college, nominated by the principal ;

(vi) Director of Sports and Physical Education. If any ;

(vii) One student from each of the following activities, who has shown outstanding performance, nominated by the principal, namely :-

(1) Sports ;

(2) National Service Scheme and Adult Education ;

(3) National Cadet Corps ;

(4) Cultural Activities ;

(viii) Two lady student members nominated by the principal.

Provided that two of students from the category (vii) and (viii) shall be those belonging to the Scheduled Caste or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*)/ Nomadic Tribes or other Backward Classes.

(3) The Student members of both these Councils shall elect, from amongst themselves, the Secretary of their respective council.

(4) (a) There shall be University Students' Council consisting of not more than fifteen persons, nominated through selection, from amongst Secretaries of the respective council under sub-section (3) as prescribed by the Statutes :

Provided that, at least one seat each be reserved for students belonging to-

(i) Scheduled Castes ;

(ii) Scheduled Tribes ;

(iia) Denotified Tribes (*Vimukta Jatis*)

(iib) Nomadic Tribes

(iii) Other Backward Classes; and

(iv) One seat for women students, remaining seats being distributed districtwise :

Provided further that, for the purpose of nomination through selection details based on academic performance, participation in Otional adet orps, National

r o

Service Scheme and Adult Education, Cultural Activities or such other activities as may be prescribed by the Statute ;

(b) The University Students' Council so formed shall elect its own President and Secretary;

(c) Every meeting of the University Students' Council shall be presided over by the Vice-Chancellor and shall be attended by such other officers as may be prescribed.

(5) A student shall be eligible to be, or continue to be, a member of any of the Students' Council, only if he is enrolled as a full time student.

(6) The nomination of the student members of the Students' Council shall be made every year, as soon as possible after the commencement of the academic year on a date to be fixed by the management Council. The term of office of the nominated student members shall begin with effect from the date of nomination 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.

(7) One third of the members of the 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. The Council shall meet at least once in every three months.

Powers, functions and duties of Authorities.

41. The constitution, powers and the functions or 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.

. (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 tem of 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.

(2) The process of election and nomination shall be commenced three months before the date on which actual vacancy occurs and shall be completed not later than 31st December in that year.

(3) The process of co-option shall be completed within three months of commencement of the term of the authority.

Cessation of membership

43. Notwithstanding anything contained in this Act or the Statutes made thereunder, where a person, elected, nominated, appointed or co-opted 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.

44. A person shall be disqualified for being a member of any of the authorities of university, if he -

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

(b) is an undischarged insolvent;

(c) has been convicted of any offence involving moral turpitude;

(d) is conducting or engaging himself in private tuitions or private coaching classes;

(e) has been punished for indulging in or promoting unfair practices in the conduct of any examination in any form anywhere.

(f) Discloses or causes to disclose to the public, in any manner whatsoever, any confidential matter, in relation to examination, the knowledge of which he has come to be in possession, due to his official position.

Ineligibility for second consecutive term.

45. No person shall be a member of the Management Council, the Academic Council or the Board of Examinations 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 the Academic Council or the Executive Council on the date of commencement of the Maharashtra Universities (Temporary Postponement of Elections of Members of University Authorities and Other Bodies) Act, 1993, and had hold such membership for two consecutive terms whether completed or not on the said date, whether as an elected, appointed, nominated or co-opted member, as the case may be, shall not be eligible for being such a member of the Management Council, the Academic Council when these authorities are constituted for the first time after the commencement of this Act.

Conclusiveness of decision of authority.

46. 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 it 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 and discharging its 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.

Election to be by proportional representation.

47. (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 and filling in the casual vacancy.

48. (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.

(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 the authorities.

49. (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 or any authority 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 Chairman 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 Chairman to a specific time on the same day, or on a later date and no quorum shall be necessary for such adjourned meeting.

CHAPTER V

THE STATUTES, ORDINANCES AND REGULATIONS

Statutes.

51. 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 holding convocation;

(2) the establishment and maintenance of the university departments, institutions, conducted colleges, institutions of higher learning, research or specialised studies and hostels;

(3) the powers and duties of the officers of the university;

(4) the powers and duties of the authorities of the university;

(5) the principles governing the seniority and service conditions of the employees of the university;

(6) the provision for disqualifying members of the authorities, bodies or committees of the universities;

(7) abolition of university departments or institutions and conducted colleges;

(8) qualifications, recr

(14) number of working days, number of actual days of instruction, holidays other than Sundays, vacation and terms in academic year;

(15) disciplinary action against defaulting teachers, officers and other employees of the university, affiliated colleges and recognised institutions other than the colleges or institutions managed and maintained by the State Government or Central Government or Local Authorities;

(16) the 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 or which is necessary to give effect to the provisions of this Act.

Statutes how made.

52. (1) The statute may be made, amended or repealed by the Senate in the manner hereinafter provided.

(2) The Senate may take into consideration the draft of a Statute either of its own motion or on a proposal by the Management Council. In the case of a draft which is not proposed by the Management Council, the Senate, before considering the same, shall obtain the opinion of the Management Council;

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

(3) The Senate, if it thinks necessary may also obtain the opinion of any officer, authority or body of the university in regard to any draft Statute which is before it for consideration;

Provided that, where any such draft Statute pertains to academic matters, the Senate shall obtain the opinion of the Academic Council before considering the same.

(4) Every Statute passed by the Senate shall be submitted to the Chancellor who may give or withhold his assent thereto or send it back to the Senate for reconsideration.

(5) No Statute passed by the Senate 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 Senate fails to implement such a direction within sixty days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the

Senate for its inability to comply with such direction, make or amend the Statutes suitably.

Ordinance and their subject matter.

53. Subject to the conditions prescribed by or under this Act, the Management Council may make Ordinances to provide for all or any of the following matters, namely :-

(i) the conditions under which students shall be admitted to courses of study for degree, diplomas, certificates and other academic distinctions;

(ii) the fees to be charged for enrolment of students for attending such courses in the university and colleges (including the tuition fees and hostel charges), which shall, as far as possible, be uniform for the colleges situated in the same local area, for admission to the examinations leading to degrees, diplomas, certificates and other academic distinctions, and for registration or graduates;

(iii) the conditions of residence, conduct and discipline of the students of the university, and the action to be taken against them for breach of discipline of misconduct, including the following :-

(a) use of unfair means at an examination, or abetment thereof;

(b) refusal to appear or give evidence in any authorised inquiry by an officer in charge of an examination, or by any officer or authority of the university; or

(c) disorderly or otherwise objectionable conduct, whether within or outside the university;

(iv) the qualifications and classification of teachers in university departments, colleges and recognised institutions;

(v) the conditions governing the appointment and duties of examiners;

(vi) the conduct of examinations and other tests, and the manner in which the candidates may be assessed or examined by the examiners;

(vii) the recognition of teachers of the university and the conditions subject to which persons may be recognised as qualified to give instruction in the university department, colleges and recognised institutions;

(viii) the inspection of colleges, recognised institutions, halls and hostels;

(ix) the recognition of halls and hostels;

(x) the mode of execution of contract or agreements for, or on behalf of the university

(xi) the rules to be observed and enforced by colleges and recognised institutions regarding transfer of students;

(xii) the powers and functions of students' associations and other organisations in colleges'

(xiii) all other matters which, by or under this Act or the Statutes, are to be, or may be, provided by Ordinances; and

(xiv) generally, all matters for which provision is, in the opinion, of the Management Council, necessary for the exercise of the powers conferred, or the performance of the duties imposed, on the Management Council by or under this Act, or the Statutes.

Ordinance and their making.

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

(2) No Ordinance concerning the matters referred to in clauses (i) to (vii) of the last preceding section, or any other matter connected with the maintenance of the standards of teaching and examinations within the university, shall be made by the Management Council unless a draft thereof has been proposed by the Academic Council.

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

(4) All Ordinances made by the Management Council shall have effect from such date as it may direct, but every Ordinance so made shall be submitted to the Chancellor within two weeks. The Chancellor shall have the power to direct the Management Council, within four weeks of the receipt of the Ordinance, to suspend its operation, and he shall, as soon as possible, inform the Management Council of his objection to it. He may, after receiving the comments of the Management Council, either withdraw the order suspending the Ordinance or disallow the Ordinance, and his decision shall be final.

Regulations and Rules.

55. (1) Subject to the conditions prescribed by or under this Act, and the approval of the Management Council, the Academic Council may make Regulations consistent with this Act, the Statutes and Ordinances, providing for all or any of the matters which, by or under this Act, the Statutes or Ordinances, are to be or may be provided by Regulations, and for all other matters solely concerning itself.

(2) Any authority or body may, subject to the previous approval of the Management Council, make rules, consistent with this Act, the Statutes, Ordinances and Regulations, for --

(a) giving notice of the dates and hours of its meetings and of the business to be conducted thereat;

(b) regulating the procedure at its meeting and the number of members required to form a quorum, and keeping of records of the proceedings of such meetings;

(c) providing for all matters solely concerning such authority or body;

(3) Such rules be submitted to the Management Council, which may amend or annul them in such manner as it thinks proper, after ascertaining and considering the views of the authority or body making them.

CHAPTER VI

MAHARASHTRA STATE COUNCIL FOR HIGHER EDUCATION

56. (1) The State Government may, by notification in the *Official Gazette*, establish the Maharashtra State Council for Higher Education.

(2) The composition of the Maharashtra State Council for Higher Education shall be as follows. namely :-

(1)	Chief Minister	Chairman
(2)	Minister for Higher Education	Vice-Chairman
(3)	Minister for Medical Education	Member
(4)	Minister for sports	Member
(5)	Minister of State for Higher Education	Member
(6)	Minister of State for Medical Education	Member
(7)	Four Members of Legislative Assembly nominated by the Speaker of the Maharashtra Legislative Assembly.	Members
(8)	Two Members of the Legislative Council nominated by the Chairman of the	Members

	Maharashtra Legislative Council	
(9)	Ten eminent educationists or educational administrators nominated by the Chancellor of which two shall be the representatives of the Management	Members
(10)	Two principals from amongst the office bearers or the members of the Executive Committee of State level representative body of principals nominated by the Chancellor.	Members
(11)	Two teachers from amongst the office bearers or the members of the Executive Committee of State level representative body of teachers, nominated by the Chancellor.	Members
(12)	The Vice-Chancellor of all the Statutory Universities other than Agricultural Universities in the State.	Members
(13)	The Secretary, Higher and Technical Education	Member
(14)	The Secretary, Medical Education	Member
(15)	The Secretary, Planning	Member
(16)	The Secretary, Finance	Member
(17)	The Secretary, Sports	Member
(18)	Director of Technical Education Maharashtra State	Member
(19)	Director of Medical Education Maharashtra State	Member
(20)	Director of Education (Higher Education), Maharashtra State	Member Secretary

(3) The Maharashtra State Council for Higher Education shall be the authority of the State Government in-charge of, and responsible for, the state higher education. The Council shall be the planing, monitoring, co-ordinating and evaluating authority

and shall act as a think tank for Higher Education including technical, medical and professional education. It shall tender advice to the State Government in the following matters, namely :-

(a) to prepare programmes in the various subjects in the sphere of higher education, keeping in view the overall priorities, perspective and needs of the society and expectations from higher education;

(b) to advise the State Government in respect of determining and maintaining uniformity of standards of education in the universities;

(c) to advise on promoting co-operating 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 organisations on the other hand;

(d) to suggest ways and means of raising additional resources for higher education from industry and other sources;

(e) to advise on inter-university programmes for various activities undertaken by the universities in fulfillment of the provisions of the Act;

(f) to advise on programmes for greater co-operation and interaction and exchange of university teachers, college teachers and the teachers of university departments;

(g) to consider and approve the developmental programme of the universities;

(h) to initiate inter-university programme for various activities related to teaching, research and extension in the field of higher education;

(i) 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.

(4) The term of office of members other than ex officio members shall be five years.

(5) The Maharashtra State Council for Higher Education shall meet at least twice in a year.

(6) Nothing in this section shall empower the council to carry out any executive functions in the Management of the affairs of the universities.

CHAPTER VII

TEACHERS AND EMPLOYEES

Grievances Committee.

57. (1) There shall be a grievances committee in each university to deal with the grievances of teachers and other employees of the university, colleges, institutions and recognised institutions and to hear and settle grievances as far as may be practicable within six months, and the committee shall make a report to the Management Council.

(2) It shall be lawful for the grievances committee to entertain and consider grievances or complaints which are not within the jurisdiction of the Tribunal and report to the Management Council to take such action as it deems fir and the decisions of the Management Council on such report shall be final.

(3) The Grievances Committee shall consist of the following members, namely :-

(a) The Pro-Vice-Chancellor, where there is no Pro-Vice-Chancellor, a member of the Management Council nominated by the Management Council….. Chairman;

(b) Two members of the Management Council nominated by the Management Council from amongst one of them belonging to the Scheduled Castes or Scheduled Tribes or De-notified Tribes (*Vimukta Jatis*)/Nomadic Tribes or Other Backward Classes, by rotation…… Members;

(ba) Two members of the Senate nominated by the members of the Senate, from amongst themselves, one of them being the woman representative of the managements and one shall be a teacher;……..……Members;

(bb) two members nominated by the members of Academic Council from amongst themselves, one of them being the principal and one shall be a teacher…….……Members;

(c) The Registrar ……. Member Secretary;

University and College Tribunal

58. (1) Subject to the provisions of section 66 there shall be one or more university and college Tribunals for one or more universities in the State of Maharashtra for adjudication of disputes between the employees of the universities and their respective university and between the employees of the affiliated college or recognised institutions and their respective managements, with regard to the matters specified in sub-section (1) of section 59.

(2) The State Government shall, by notification in the Official Gazette, constitute one or more tribunals to be called university and Colleges tribunals, for adjudication of disputes or difference between the teachers and employees and the university, management of any affiliated college or recognised institution (Other than that managed and maintained by the State Government, Central Government or local authority) connected with, or arising out of, the matters specified in sub-section (1) of section 59.

(3) A Tribunal shall consist of one person only, to be appointed by the State Government,

(4) A person shall not be qualified for appointment as a Presiding Officer of a Tribunal, unless, -

(a) he is or has been a Judge of High Court; or

(b) he 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.

(5) The appointment of a person as Presiding Officer of a Tribunal shall be on a full time basis, and for such period or periods, but not exceeding three years in the aggregate, as the State Government may, from time to time, in each case decide;

(6) The remuneration and other conditions of service of the Presiding Officer shall be as determined by the State Government.

(7) The university shall make available to a Tribunal such ministerial staff as may be necessary for the discharge of its functions under this Act.

(8) 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.

(9) If any vacancy, other than a temporary vacancy, occurs in the office of the Presiding Officer of a Tribunal, the State Government shall, as soon as may be possible but in any case within three months, appoint another qualified person to fill the vacancy. 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

59. (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, college or recognised institution (other than that managed and maintained by the State Government, Central Government or a local authority), who is dismissed or removed or whose services are otherwise terminated or who is reduced in rank by the university or management and who is aggrieved, shall have a right of appeal and any appeal against any such order 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 by a court or Tribunal in any case where the matter has already been decided by a court or Tribunal of competent jurisdiction or is pending before such court or Tribunal on the date of commencement of this Act or where the

order of dismissal, removal, otherwise termination of service or reduction in rank was passed by the management at any time before the date on which this Act comes into force and in which case the period for filing and 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, or reduction in rank, 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 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 of four hundred rupees 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.

60. (1) For the purposes of admission, 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, endeavor shall be made by the Tribunal to decide an appeal within three months from the date on which it is received by the Tribunal. 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 reliefs and directions.

61. (1) On receipt of an appeal, where the Tribunal after giving reasonable opportunity to body parties of being heard, is satisfied that the appeal does not pertain to any of the matters specified in sub-section (1) of section 59 or is not maintainable by it, or there is no sufficient ground for interfering with the order of the university or management, 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 or, reduction in rank 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, as the case may be, partially or wholly, and direct the university or, as the case may be, the management --

(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 at it may specify in lieu of dismissal, removal, otherwise termination of service of reduction in rank, as the case may be;

(e) where it is decide 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 direct.

(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, as the case may be, management; within the period specified in the direction, which shall bot 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.

62. 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 employees and the university or, as the case may be, management; and no suit, appeal or other legal proceeding shall lie in any court or before any other Tribunal or authority, in respect of the matter decided by the Tribunal.

Penalty to management for failure to comply with Tribunal's directions.

63. (1) If the university or, as the case may be, management fails, without any reasonable cause, to comply with any direction issued by the Tribunal under section 61 within the period specified in the direction, or within such further period as may be allowed by the Tribunal, the university or, as the case may be, management shall on conviction, be punished,--

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

Provided that, in the absence of special and adequate reasons to the contrary to be mentioned in the judgement of the Tribunal, the fine shall not be less than one hundred rupees; and

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

Provided that, in the absence of special and adequate reasons to the contrary to be mentioned in the judgement of the Tribunal, the fine shall not be less than five hundred 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 one 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 published 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 offence;

(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, chairman, secretary, member, principal or manager or other officer or servant of the society such Management Council, president, chairman, secretary, member, principal or management 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.

64. 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 AND OTHER MATTERS RELATING TO STUDENTS

Admissions.

65. In accordance with the reservation policy of the State Government for the weaker sections of society, admissions to all courses in the university departments and affiliated colleges 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 by the university and published in the university gazette 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 and such rules shall be published in the university gazette or the Official Gazette as the case may be, at least six months before the start of any academic session which shall begin not later than first August every year :

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.

66. The Tribunal or Tribunals constituted under sub-section (1) of section 58 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 recognised institutions of such university. Such Tribunals shall adjudicate the admission disputes as provided hereinafter.

Application of provisions.

67. The provisions of sub-section (3) to (9) of section 58, sub-section (1) and (2) of section 60, and section 62 and 63 of this Act shall *mutatis mutandis* apply for adjudication of all disputes relating to admission.

Right to seek redressal

68. (1) Any student seeking admission to a course run by the university or its affiliated or conducted or recognised 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 redressal.

(2) Such appeal shall be made by the prospective student to the Tribunal within 10 days from the date of finalisation 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 or Rs. 300 which shall not be refundable and shall be credited to the university fund.

Powers of the Tribunal.

69. (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 15 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 or recognised colleges and institution concerned, to reserve a seat for the appellant temporarily pending final adjudication of the appellant's claims.

Powers of Tribunal to give proper reliefs and directions

70. (1) On receipt of an appeal where the Tribunal, after giving reasonable opportunity to both parties of being heard, 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.

71. At the beginning of each academic term and in any case not later than 30th October of every calendar year, the university shall prepare and publish a schedule of examinations for each and every course conducted by itself or by any affiliated college or institution within its jurisdiction and shall strictly adhere to the schedule.

Explanation. –"Schedule of Examination" 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;

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

72. the university shall strive to declare the results of every examination conducted by it within 30 days from the last date of the examination for that particular course and shall in any case declare the results latest within 45 days thereof ;

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

Examinations not invalid, for non-compliance with Schedule.

73. No examination or the results of an examination shall be held invalid only for the reasons that the university has not followed the schedule as stipulated in section 71 and 72 as the case may be.

Sports and Extra curricular activities.

74. 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

75. (1) *Library Committee.*—(a) There shall be a library committee for administering, organising and maintaining the libraries and library services of the university. It shall consist of the following members, namely :-

(i) the Vie-Chancellor – Chairman;

(ii) three Deans of faculties, nominated by the Vice-Chancellor;

(iii) three Heads of university, institutions, or departments, nominated by the Vice-Chancellor;

(iv) two teachers, nominated by the Academic Council, from amongst its members;

(v) the Registrar;

(vi) the Librarian – Secretary.

(b) All members of the library committee, other than the ex-officio members, shall hold office for a period of five years and shall not be eligible for a second consecutive term.

(c) The duties of the committee shall be as follows :-

(i) to provide for proper organisation and functioning of the library, documentation services and updating the stock of books;

(ii) to provide for modernisation and improvement of library and documentation services;

(iii) to recommend to the Management Council fees and other charges for the use of library services by students and others;

(iv) to prepare the annual budget and proposal for development of the library for approval of the Management Council;

(v) to submit the annual report on the functioning of the library.

(2) *Finance and Accounts Committee*. – (a) There shall be a finance and accounts committee consisting of the following members, namely :-

(i) the Vice-Chancellor --- Chairman;

(ii) the Pro-Vice-Chancellor, if any;

(iii) one person, nominated by the State Government, not below the rank of a Deputy Secretary;

(iv) the Director of Accounts and Treasuries or his representative, not below the rank of Deputy Director of Accounts and Treasuries;

(v) three persons, nominated by the Management Council from amongst its members;

(vi) two persons, nominated by the Academic Council from amongst its members;

(vii) the Finance and Accounts Officer - Secretary;

(viii) the Registrar and the Director Board of College and University Department, shall be the permanent invitees.

(b) The quorum for a meeting of the committee shall be six;

(c) All members of the committee other than ex-officio member, shall hold office for a term of five years and shall not be eligible for a second consecutive term.

(d) 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;

(e) The annual statement of accounts and the financial estimates (budget) of the university, prepared by the Finance and Accounts Officer shall be laid before the Finance and Accounts Committee for consideration and recommendation, and for submission, thereafter to the Management Council for such action as it thinks fit ;

(f) The budget shall be prepared in the following three distinct parts :

(i) maintenance;

(ii) development; and

(iii) independent project or scheme or collaborative programmes grants;

(g) The committee shall perform the following additional functions and duties, namely :-

(i) 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;

(ii) recommend to the Management Council productive investment and management of university assets and resources;

(iii) explore the possibilities of, and resort to, augmenting further the resources for the development of the university;

(iv) take necessary steps to have the university accounts audited by auditors appointed by the Management Council;

(v) advise the Management Council on matters related to the administration of the property and the funds of the university;

(vi) ensure proper implementation of the State Government's orders issued from time to time, in respect of financial matters;

(vii) 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;

(viii) report to the Vice-Chancellor any lapse or irregularity in financial matters which comes to its notice who may take suitable prompt actions after assessing the seriousness of the matter or refer it to the Management Council.

(h) The other powers and duties of the committee and the procedure at its meetings shall be such as may be prescribed;

(i) The annual accounts of the university, colleges and institutions shall be open for audit by the auditors appointed by the State Government;

(3) *Purchase Committee.*—(a) There shall be 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 one lakh at a time;

(b) The committee shall consist of the following members, namely :-

(i) the Vice-Chancellor – Chairman;

(ii) three Heads of university, institutions or departments, nominated by the Vice-Chancellor;

(iii) two members, nominated by the Management Council, from amongst its members;

(iv) the Registrar;

(v) the Finance and Accounts Officer;

(c) The Finance and Accounts Officer shall ordinarily act as the Secretary of the purchase committee. During the period when there is no Finance and Accounts Officer or during his absence, the Registrar shall act as the Secretary of the committee;

(d) The purchase committee shall invite the heads of the university, institutions or departments 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 two years :

(f) The powers and duties of the committee and the procedure for its meetings shall be such as may be prescribed.

(4) *Committees for Academic Services Unit*. - (a) Each Academic Services Unit of the university shall have a committee whose principal responsibility shall be to organise, oversee and maintain the services under its charge;

(b) The Committee of such unit shall consist of the following members, namely :-

(i) the Vice-Chancellor – Chairman;

(ii) one Dean nominated by Deans from amongst themselves;

(iii) not more than three Heads of university institutions or departments making use of the services of the unit, nominated by the Academic Council;

(iv) one nominee of the funding agency for the unit, if any;

(v) one expert having special knowledge of the concerned academic services, other than the employees of the university, nominated by the Vice-Chancellor;

(vi) Head or Director of the concerned Academic Services Unit -- Secretary;

(c) The Term of office of the nominated members shall be five years;

(d) The powers and duties of the committees and the procedure of their meetings shall be as prescribed;

(e) The committee shall meet at least twice a year.

Selection and appointment of university teachers.

76. (1) Subject to the provisions of this Act, Statutes and Ordinances, the Vice-Chancellor shall, till the University Grants Commission's scheme of recruitment becomes operative, appoint according to the order of merit and recommendations made by the selection committee, a university teacher.

(2) The selection committee for making recommendations for appointment of university teachers shall consist of the following members :-

(a) the Vice-Chancellor, or the Pro-Vice-Chancellor upon directions of the Vice-Chancellor – Chairman;

(b) one person, nominated by the Chancellor;

(c) the Dean of the faculty concerned;

(d) the Head of the university department or a head of the concerned school or multi disciplinary institution nominated by the Vice-Chancellor

(e) Not less than three experts, nominated by the Management Council out of a panel of not less than six names of experts not connected with the university, recommended by the Academic Council, who have special knowledge of the subject for which the teacher is to be selected;

(f) one person belonging to Scheduled Castes or Scheduled Tribes Denotified Tribes (*Vimukta Jatis*) and Nomadic Tribes or Other Backward Classes, nominated by the Chancellor :

(g) Director, Higher Education or his nominee not below the rank of Joint Director.

(h) Director, Technical Education or his nominee not below the rank of Joint Director.

Provided that, a head, referred to in clause (d), who is a reader shall be a member of the selection committee for the selection to the posts of lecturer.

(3) The Registrar shall act as the Secretary of the committee.

(4) Every post of a university teacher, to be filled by selection, shall be duly and widely advertised, according to the draft approved by the Vice-Chancellor, together with particulars of the minimum and additional qualifications, as prescribed, the emoluments and number of posts to be filled, the number of posts which are reserved for the members of the Scheduled Castes or Scheduled Tribes or Other Backward Classes and reasonable time to be determined by the Vice-Chancellor, shall be allowed with which the applicants may, in response to the advertisement, submit their applications.

(5) 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 meetings, 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.

(6) The quorum to constitute a meeting of every selection committee shall be four members, of whom at least two shall be persons nominated under clause (e) of sub-section (2) :

Provided that, for the post of professor, the selection committee may in preference to the candidates who have applied and appeared before it, recommend for appointment, with all the requisite details, the name of any other person who may not have applied or appeared before it, but who is duly qualified and has to his credit

exceptionally high academic achievements or proficiency in the specialisation or has extraordinary academic contribution, to be recorded in writing.

(7) If, on a petition by any person directly affected, or *suo motu*, the Chancellor, after making or having made such inquiries or obtaining or having obtained such explanations, including explanations from the teachers whose appointments are likely to be affected, as may be or may have been necessary, is satisfied that the appointment of a teacher of the university, accordance with the law at that time in force, the Chancellor, may, by order, notwithstanding anything contained in the contract relating to the conditions of service of such teacher, direct the Vice-Chancellor or terminate his appointment after giving him one month's notice or one month's salary in lieu of such notice, and the Vice-Chancellor shall forthwith comply and take steps for a fresh selection to be made. The person whose appointment has been so terminated shall be eligible to apply again for the same post.

(8) Any order made by the Chancellor, under the last preceding sub-section, shall be final and a copy of the order shall be served on the teacher concerned by the Vice-Chancellor within three days from its receipt.

(9) It shall be the duty of the Vice-Chancellor to ensure that no payment whatsoever is made to any person, by way of salary or allowance, from the funds of the University, for any period after the termination of his services, and any authority or officer authorising or making any such payment shall be liable to reimburse the amount so paid to the University.

Filling temporary vacancies of university teachers

77. Where an appointment is to be made on a temporary vacancy of teacher of the university the appointment shall be made, if the vacancy is for a period of more than one year, on the recommendation of the selection committee in accordance with the provisions of Section 76. The quorum for the selection committee shall be three, one of them being the expert under clause (iv).

Provided that, if the Vice-Chancellor is satisfied that, in the interest of teaching, it is necessary to fill in the vacancy immediately, he may make the appointment of person duly qualified, for a period not exceeding one year on the recommendation of a local selection committee constituted as follows, and shall inform the Management Council of such appointments :-

(i) the Vice-Chancellor - Chairman;

(ii) the Deans 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, nominated by the Vice-Chancellor ;

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

(vii) Director, Technical Education or his nominee not below the rank of Joint Director.

Provided further that, before the expiry of one year as aforesaid, the Vice-Chancellor shall take steps to fill up the post by appointment in accordance with the provisions of Section 76.

Appointment and selection of principals of conducted colleges.

78. The selection committee for selection of principals of conducted colleges or directors or heads of university institutions or post-graduate centres or sub-centres maintained by the university, shall consist of the following, namely :-

(a) the Vice-Chancellor – Chairman;

(b) one nominee of the Chancellor ;

(c) two experts, nominated by the Management Council and one expert nominated by the Academic Council, who are not connected with the university.

(d) one member belonging to Scheduled Castes or Scheduled Tribes or Denotified Tribes (*Vimukta Jatis*)/Nomadic Tribes Other Backward Classes, by rotation nominated by the Vice-Chancellor ;

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

(f) Director, Technical Education or his nominee not below the rank of Joint Director ;

Selection committees for officers and employees of university and principals, teachers and other employees of affiliated colleges.

79. (1) (a) There shall be a selection committee for making recommendations of suitable candidates for appointment to the posts of –

(i) Registrar;

(ii) Controller of Examinations;

(iii) Finance and Accounts Officer;

(iv) Librarian;

(b) The selection committee shall consist of –

(i) the Vice-Chancellor, or the Pro-Vice-Chancellor upon the direction of the Vice-Chancellor, Chairman;

(ii) two members, nominated by the Management Council, from amongst its members;

(iii) a Dean, not being a member of the Management Council, nominated by the Vice-Chancellor;

(iv) 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 recongnised institution, nominated by the Vice-Chancellor;

(v) one person belonging to Scheduled Castes or Scheduled Tribes, or Other Backward Classes, nominated by the Vice-Chancellor;

(vi) the Registrar shall act as member-secretary of the selection committee, except where he himself is a candidate for the post.

(2) The selection committee and mode of appointment, of other officers of the university shall be such as may be prescribed.

(3) The selection committee and mode of appointment for principals, teachers and other employees of affiliated colleges shall be such as may be prescribed.

(4) The management of any affiliated college, shall before proceeding to fill in vacancies of teachers and other employees in accordance with the prescribed procedure shall ascertain from the university and the Director of Higher Education whether there is any suitable person available on the list of surplus persons maintained by the university for absorption in other colleges and in the event of such person being available the management shall appoint that person.

Committees.

80. In addition to the committees constituted under this Act, the authorities of the university may appoint committee with suitable terms and reference for any specific task, and such committee shall consist of members of the same authority constituting such a committee and also of such other persons as that authority may nominate.

CHAPTER X

PERMISSION, AFFILIATION AND RECOGNITION

Conditions for affiliation and recognition

81. (1) The management applying for affiliation or recognition, and management whose college or institution has been granted affiliation or recognition, shall give and comply with the following undertaking,--

(a) that the provisions of the Act and Statutes, Ordinances and Regulations thereunder and the standing orders and directions of the university shall be observed;

(b) that there shall be a separate local managing committee provided for an affiliated college as provided by section 85;

(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 teaching and non-teaching staff of the affiliated colleges and recognised 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 teaching 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 and Regulations shall be complied with;

(i) that there shall be no change or transfer of the management without previous 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 derecognition or closure of the college or institution under section 92 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 which is part of another university shall be considered for affiliation unless a "no objection certificate" is given by the parent university.

Procedure for permission.

82. (1) The university shall prepare a perspective plan, and get the same approved by the State Council for Higher Education for educational development for

the location of colleges and institutions of higher learning in a manner ensuring 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. Such plan shall be prepared by the Board of College and University Development, and shall be placed before the Academic Council and the Senate through the Management Council and shall, if necessary be updated every year.

(2) No application for opening a new college or institution of higher learning, which is not in conformity with such plan, shall be considered by the university.

(3) The managements seeking permission to open a new college or institution of higher learning shall apply in the prescribed form to the Registrar of the university before the last day of October of the year preceding the year from which the permission is sought.

(4) All such applications received within the aforesaid prescribed time limit, shall be scrutinised by the board of College and University Development and be forwarded to the State Government with the approval of the Management Council on or before the last day of December of the year, with such recommendations (duly supported by relevant reasons) as are deemed appropriate by the Management Council.

(5) 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 State Government's budgetary resources, the suitability of the managements seeking permission to open new institutions and the State level priorities with regard to location of institutions of higher learning :

Provided, however, that in exceptional cases and for the reasons to be recorded in writing any application not recommended by the university may be approved by the State Government for starting a new college or institution of higher learning.

Provided further, that, from the academic year 2001-2001, such permission from the State Government shall be communicated to the university on or before 30 June of the year, in which the new college is proposed to be started. Permissions received thereafter shall be given effect by the university only in the subsequent academic year.

(6) No application shall be entertained directly by the State Government for the grant of permission for opening new college or institutions of higher learning.

Procedure for affiliation.

83. (1) On receipt of the permission from the State Government under Section 82 the Academic Council of the university shall consider grant of first time affiliation to the new college or institution by following the prescribed procedure given in sub-section (2) and after taking into account whether and the extent to which the stipulated conditions have been fulfilled by the college or institution. The decision of the Academic Council in this regard shall be final.

(2) For the purpose of considering the application for the grant of affiliation the Academic Council shall cause an inquiry by a committee constituted for the purpose by it.

(3) The Academic Council 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.

(4) The Registrar shall communicate the decision of the Academic Council to the Management with a copy to the Director of Higher Education, and if the application for affiliation is granted, alongwith an intimation regarding --

(a) the subjects and the courses of study approved for affiliation;

(b) the number of students to be admitted:

(c) the conditions, if any, subject to the fulfillment of which the approval is granted.

(5) The procedure referred to in section 82, except the second proviso to sub-section (5) thereof, shall mutatis-mutandis, apply for the permission to open new courses and additional Faculties. The procedure for permission for starting new subjects and additional divisions in the existing colleges and institutions shall be such as may be prescribed by the State Government, from time to time.

(6) No student shall be admitted by the college or institution unless the first time affiliation has been granted by the university to the college or institution.

(7) The procedure referred to in sub-section (1) to (4) shall apply, mutatis-mutandis, for the consideration of continuation of affiliation, from time to time.

Procedure of recognition of institutions.

84. (1) The management of an institution actively conducting research or specialised studies for a period of not less than five years, and seeking recognition shall apply to the Registrar of the university, 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, recognised for guiding research or recognisable 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 believed, and the provisions made for capital expenditure on buildings, equipment and for the continued maintenance and efficient working of the institution.

(2) Before considering such an application, the Board of College and University development may call for any further information which it thinks necessary.

(3) If the Board of College and University Development decides to consider the application, it may direct a local inquiry to be made by a competent person or persons having specialised knowledge in the subject or field concerned. After considering the report of such inquiry, and making such further inquiry, as it may think necessary, the Board of College and University Development shall submit to the Academic Council the proposal to grant or reject the application, in part or in whole.

(4) The Academic Council shall after considering the proposal submitted by the said Board, may, either grant or reject it. The decision of the Academic Council in the matter shall be final and binding.

Local managing or advisory committee of an affiliated college.

85. (1) There shall be a separate local managing committee for every affiliated college or institution, consisting of the following members :-

(a) president or Chairman of the management or his nominee – …… Chairman;

(b) secretary of the management or his nominee;

(c) three local members representing different fields of the area, nominated by the management;

(d) three teachers, elected by the teachers of the college or institution;

(e) one non-teaching employee, elected by the non-teaching employees of the college or institution;

(f) Principal as member-Secretary.

(g) One representative of the Management.

(2) For a college or institution managed and maintained by the Government or local authority, the local advisory committee shall consist of the following members :-

(i) Joint Director or Deputy Director designated by the Director of Higher Education or Director of Technical Education on the Director of Medical

Education and Research or, as the case may be, the Director of Social Welfare as the nature of the college or institution may require;

(ii) three persons representing different fields or activities, nominated by the Director concerned;

(iii) three teachers, elected by the teachers of the college or institution;

(iv) one non-teaching employee, elected by the non-teaching employees of the college or institution;

(v) Principal Member-Secretary.

(3) The local managing or advisory committee shall meet at least twice a year.

(4) Members elected or nominated shall have a term of five years if any vacancy occurs in the office of such member, the vacancy shall be filed within three months and the member so appointed shall hold office for the residual term for which the earlier member would have held the office if the vacancy had not occurred.

(5) The powers and duties of the local managing or advisory committee shall be to --

(a) prepare the budget and financial statements;

(b) recommend to the management the creation of the teaching and other posts;

(c) determine the programme of instruction and internal evaluation and to discuss the progress of studies in the college;

(d) make recommendations to the management for the improvement of the standard of teaching in the college;

(e) formulate proposals of new expenditure not provided for in the college budget;

(f) advise the principal regarding the intake capacity of various classes, preparation of time-tables, distribution of the available teaching work-load and such other matters relating to the internal management of the college and discipline of the college students as may be referred to it by, the principal, from time to time.

(g) Consider and make recommendations on the inspection report, if any;

(h) Consider and make recommendations on the report of the local inquiry committee, if any;

(i) 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, the Management Council of the university and to the concerned Director;

(j) Perform such other duties and exercise such other powers as may be entrusted by the management and the university.

Continuation of affiliation or recognition.

86. The affiliated college or recognised institution may apply for continuation of affiliation or recognition for the courses of study for which affiliation or recognition was granted ordinarily six months prior to the date of expiry of such affiliation or recognition. The universities shall follow the procedure prescribed in the Statute so far as applicable for grant of continuation.

Extention of affiliation or recognition.

87. The affiliated college or recognised institution may apply for affiliation or recognition for additional courses of study. The university shall follow the procedure as prescribed in section 81, 82, 83 and 84, so far as may be applicable.

Permanent affiliation and recognition.

88. The affiliated college or Institution or recognised institution with at least six years standing as an affiliated or recognised institution may apply for permanent affiliation or recognition. The Board of College and University Development shall consider and scrutinise the application and make recommendation to the Academic Council. If the Academic Council is satisfied that the affiliated college or institution or recognised 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 Academic Council shall grant permanent affiliation or recognition to the college or institution, as the case may be.

Autonomous university department or institution, college or recognised institution.

89. (1) A university department or institution, affiliated college or recognised 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) The autonomous university department or institution or college or recognised institution, 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 prescribed.

(3) The autonomous university department or institution or college or recognised 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 of its own. Autonomous university department or institution or college or recognised 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 and intellectual climate conducive to the pursuit of scholarship and excellence.

Inspection of colleges and recognised institutions and report.

90. (1) Every affiliated college and recognised 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 recognised institution.

(2) The Vice-Chancellor shall cause every university department or institution, affiliated college or recognised 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 Director, Board of College and University Development or a Dean nominated by the Vice-Chancellor -- Chairman;

(b) one expert, not connected with the university, 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 the institution concerned.

(3) The committee shall submit its report to the Vice-Chancellor for his consideration and for further action as may be necessary.

Withdrawal of affiliation or recognition.

91. (1) If an affiliated college or recognised institution fails to comply with the conditions of affiliation or recognition as provided in section 81 or to allow the local managing or advisory committee as provided in section 85 to function properly or to take action as per directions issued under the Act, or if it is conducting the college of recognised institution in a manner prejudicial to the interest of the university or the standards laid down by it, the Board of College and University Development may issue a notice to the management to show cause as to why the privileges conferred on the college or recognised institution by affiliation or recognition should not be withdrawn in part or in whole or modified.

(2) The Board of College and University Development 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 recognised 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 College and University Development shall place before the Academic Council, the notice and the written statement, if any, with or without the motion for withdrawal or modification of such privileges.

(4) The Academic Council shall having regard to the interest of students studying in the colleges or recognised institutions, recommend to the Vice-Chancellor the action to be taken in this behalf and the Vice-Chancellor shall, thereafter, proceed to implement the recommendations.

Closure of the college or recognised institution.

92. (1) No management of a college or recognised institution shall be allowed to close down the college or recognised institution without prior permission of the State Government.

(2) The management desirous of closing down the college or recognised 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 equipments, 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 Academic Council shall cause to make inquiries as it may deem fit, to assess and determine whether the college or recognised institution be permitted to effect the closure. The Academic Council may, examine whether the closure should be avoided by providing necessary assistance or taking over of the college or institute by the university or transferring it to another management.

(4) If the Academic Council 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 utilising 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 Academic Council shall, with prior concurrence of the Management Council and approval of the State Government then decide whether the affiliated college or recognised institution be permitted the closure.

(6) The university may take over a college or a recognised 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, so as to ensure that the students already admitted to the college or recognised institution are 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 colleges, or recognised institutions, referred to in sub-section (1) to (7) shall mutatis-mutandis apply for closure of Faculties or Subjects.

CHAPTER XI

ENROLMENT, DEGREES AND CONVOCATIONS

Post-graduate teaching and research.

93. All post-graduate instruction, teaching, training and research shall normally be conducted within the university area by the university, affiliated colleges and the recognised institutions and in the manner prescribed.

Enrolment of students.

94. 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 among students.

95. (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 Vice-Chancellor.

(2) The Vice-Chancellor 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 Vice-Chancellor 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 a college, institution or department of the university for a specified period, or be punished with fine, not exceeding three hundred rupees, or be debarred from taking an examination or examinations conducted by the department, 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 in which he or they have appeared be cancelled;

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

(4) Without prejudice to the powers of the Vice-Chancellor, 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) The Vice-Chancellor shall, subject to the approval of the Management Council, make rules of discipline and proper conduct for students of the university which shall also apply to the students of all its conducted colleges and university departments or institutions and every student shall be supplied with a copy of such rules.

(6) 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 rules made by the Vice-Chancellor, as they think necessary and these shall also be published in the college prospectus 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 Vice-Chancellor and the other officers and authorities or bodies of the university and the authorities or bodies of the conducted colleges and institutions, and shall observe and abide by the rules made by the Vice-Chancellor 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 recognised institution not maintained by the university, shall vest in the principal of the affiliated college or head of the recognised institution, and the provisions of the foregoing sub-section including the rules, if any, made thereunder, shall mutatis mutandis apply to such colleges, institutions and students therein.

Degrees, diplomas, certificate and other academic distinctions.

96. (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 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 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 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.

97. (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 examinations, 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

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

Registered graduates.

99. (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 graduate 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 undischarged 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 25, 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.

100. (1) The 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 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.

101. (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 financial estimates as approved by the Management Council and Senate to the Chancellor, Maharashtra State Council for Higher Education and the State Government.

(3) The Financial year of the university shall be the same as that of the State Government.

University funds.

102. (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 the 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 to wards full or part payment of the salary and allowances. No amount from this fund shall be utilised for the purpose other than payment of salary and allowances.

(4) All income or moneys from trusts, bequests, donations, endowments, subventions and similar grants shall form the trust fund.

(5) (a) The development and programme fund of the university shall consist of all infrastructure development grants received form 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 ;

(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 programmes fund shall be utilised in the manner consistent with the object of the programme for which a suitable code will be adopted to include the 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 purposes of meeting and unforeseen expenditure.

(7) Surplus money at the credit of these funds, which cannot immediately or at any early date be applied for the purposes aforesaid, shall from time to time, be deposited in the Nationalised 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."

Explanation. – For the purposes of this sub-section, the expression "bank" means,-

(i) the State Bank of India constituted under the State Bank of India Act, 1955 ;

(ii) a subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959 ;

(iii) a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 or under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980.

(iv) any other bank, being a scheduled bank as defined in clause (e) of section 2 of the Reserve Bank of India Act, 1934, or being such a bank as may be approved by the State Government.

Annual accounts and audit.

103. (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 auditor's report, shall be submitted to the Chancellor, State Government and, on receipt of such audited accounts the Senate shall consider and pass such resolution thereon as it thinks fit.

(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.

104. 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, State Government and Senate. 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.

105. (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, without seeking permission of any other university in the area of which the college or institution 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 recognised 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 in the State of Gujarat, 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 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.

106. (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 Legislative and of Parliament.

107. (1) A teacher of a private college 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 the university authority or body, etc.

108. 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 the Chancellor, who shall after taking such advice as he thinks necessary, decide the question, and his decision shall be final :

Provided that, such reference shall be made by the Vice-Chancellor to the Chancellor upon a requisition signed by not less than twenty-five members of the Senate.

Protection of acts and orders.

109. All acts and orders done or passed in goodfaith 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 goodfaith and in pursuance of the provisions of this Act and the Statutes, Ordinances, Regulations and Rules.

Delegation of powers.

110. 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, Regulations and Rules 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.

111. 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 orders providing for matters when new university is constituted.

112. When any new university is constituted by a notification in the *Official Gazette* under sub-section (2) of section 3, the State Government 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) the 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) the 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) the continuance or discontinuance of the membership of the Senate, the Management Council, the Academic Council and other authorities, bodies and committees of the existing universities constituted under the Act;

(f) the filling in the vacancies caused by discontinuance of the members of authorities or bodies or committees of the existing university ;

(g) the continuance of the affiliation of the colleges or the recognition of the 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) the 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 State Government deems fit;

Provided that, the terms and conditions of service of any employees so transferred shall not be varied to his disadvantage;

(i) the transfer of the 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 State Government may deem necessary.

CHAPTER XVI

TRANSTORY PROVISION.

Continuance of existing officers and employees of university

113. 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 an existing 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.

114. (1) Every authority of an existing 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 an existing university who is continued in office under this section shall be deemed to have vacated his office.

Repeal and savings.

115. (1) On and from the date of commencement of this Act,--

(a) the Bombay University Act, 1974 ; Mah.XXII of 1974

(b) the Poona University Act, 1974 ; Mah.XXIII of 1974

(c) the Shivaji University Act, 1974 ; Mah.XXIV of 1974

(d) the Dr. Babasaheb Ambedkar Marathwada University Act, 1974 ; Mah.XXV of 1974

(e) the Nagpur University Act, 1974 ; Mah.XXVI of 1974

(f) the Shreemati Nathibai Damodar Thackersey Women's University Act, 1974 ; Mah.XXVII of 1974

(g) the Amravati University Act, 1983 ; and Mah.XXXVII of 1983

(h) the North Maharashtra Universities Act, 1989, shall stand repealed. Mah.XXIX of 1989

(2) Notwithstanding the repeal of the said Acts, --

(i) any person holding office immediately before the commencement of this Act as Vice-Chancellor of an existing university shall, on such commencement, be the Vice-Chancellor of the corresponding university and shall continue to hold the said office till his term of office as Vice-Chancellor of the existing 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 corresponding university by or under this Act;

(ii) all colleges which stood affiliated to any existing university immediately before the commencement of this Act, shall be deemed to be affiliated to the corresponding university under this Act till their affiliations is withdrawn by the corresponding university under this Act;

(iii) all other educational institutions which were entitled to any privileges of any existing university shall be entitled to similar privileges of the corresponding university ;

(iv) all property, movable or immovable, and all rights, interest of whatsoever kind, powers and privileges of any existing university shall stand transferred to and shall, without further assurance, vest in, the corresponding university and be applied to the objects and purposes for which the corresponding university is constituted ;

(v) all benefactions accepted or received by any existing 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 corresponding 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 ;

(vi) all debts, liabilities and obligations incurred before the commencement of this Act, and lawfully subsisting against any existing university, shall be discharged and satisfied by the corresponding university ;

(vii) any will, deed or other document made before the commencement of this Act, which contains any bequest, gift, term or trust in favour of an existing university shall, on and from the commencement of this Act, be construed as if the corresponding university is named therein instead of the existing university ;

(viii) all references in any enactment or other instruments issued under any enactment, to any existing university shall be construed as references to the corresponding university ;

(ix) the appointment of examiners validly made under the said Acts 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 corresponding university , and such examiners shall continue to hold office and to act until fresh appointments are made under this Act ;

(x) the teachers, who were recognised teachers of the university under the said Acts in respect of any of the existing university immediately before the commencement of this Act, shall be deemed to be recognised teachers of the corresponding university under and for the purposes of this Act and shall continue to be such recognised teachers until fresh recognitions are granted under this Act ;

(xi) the registered graduates, whose names were entered in the register of graduates maintained by the existing university immediately before the commencement of this Act, shall be deemed to be registered graduates of the corresponding 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 corresponding university, and the registered graduates to be the registered graduates ;

(xii) all Statutes and Ordinances made under the said Acts in respect of any existing 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 the corresponding university by the Senate or the Management Council, as the case may be of that university, until they are superseded or modified by the Statutes made under this Act ;

(xiii) all Regulations and Rules made by the Management Council, the Academic Council or the Faculties or other authorities of any existing universities 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

Management Council, the Academic Council, the Faculties or other authority, as the case may be, of the corresponding university, until they are superseded or modified by the Regulations or rules made under this Act ;

(xiv) a standard code, if any, prescribed under the said Acts shall be deemed to have been prescribed under this Act and shall, save as otherwise provided by or under this Act, continue to remain in force, until it is superseded in accordance with the provisions of this Act ;

(xv) all notices and orders made or issued by any authority under any of the said Acts 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 corresponding authority until they are superseded or modified under this Act ;

(xvi) the College Tribunal constituted under any of the existing University Acts and existing on the date of commencement of this Act shall continue to function as such till the constitution by the State Government for such University, University and College Tribunal under this Act, and on the date of constitution of the University and College Tribunal for such University, all the disputes or matters or appeals pending before such College Tribunal shall stand transferred to such University and College Tribunal and shall be dealt with and disposed of by such University and College Tribunal ;

Provided that, no Statutes, Ordinances, Regulations, rules, notices or orders made or issued under any of the Acts 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, Regulations, Rule, 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.

116. 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.

(Note :- Subject to the verification of the Maharashtra Universities (Amendment and Continuance) Act, 2000.)

The Maharashtra Universities (Amendment and Continuance) Act, 2000 has come into force on the 12th May, 2000.

Amendments Made are as under :-

Principal Act	New Clause Additions, Substitutions, Insertion	Amendment by addition, deletion, substitution of words in sections
Section 2	New 11A New 20A New 31A	(16), (26), (30) (34)
Section 4		(8)
Section 5		(1), (4), (8), (14), (16), (18), (25), (27), (28), (33).
Section 6	(4) (New Clause)	
Section 7		(2)
Section 8	Provision added in sub-section (4)	(3)
Section 9	Sub-section (3) of Principal Act substituted by new Sub-section (3)(a) & (b)	(5)

Section	New Addition, insertion, substitution	Amendment to existing section, sub-section
12.	(a)(1) substituted Sub-section (13) Clause (d-1) added Letter (d-1) and (e) substituted in the proviso to clause (d-1)	In Proviso deleted words and (e) and added (d-1) and (e)
13.	(a) Sub-section (2) of Principal Act substituted by Amended Act. (b) Added, Sub-section (6) after Sub-section (5)	
14.	Sub-section (g) of Principal Act is substituted by Amended Act.	Inserted words in Sub-section (5) In Sub-section (10) deleted as well as added some words
15.	For Sub-section (2) Sub-section 2(a)	

	and (b) substituted	
16.	Sub-section (3) added after Sub-section (2)	Added words in 16(1) Added words in 16(2) In 16(2)(c) deleted, added words
17.	To Sub-section (1) Proviso added	Sub-section (3), (4) deleted, added words
18.	Proviso added in Sub-section (1)(a) to (c)	(1)(b)(c) word deleted, added words
20.	Clause (c) added after clause (b) in Sub-section (1)	Sub-section (1)(b), (5) (g) deleted, added words
22.	1(b) deleted	(1)(d) deleted, substituted words
24.	Clause (5A) inserted after Clause (5)	
25.	2(1) substituted 2(m) Proviso inserted 2(r) substituted in place of original clause (r) (2)(y)(z) (aa) added after (x)	(2)(p) revised (2) (s) words deleted, added (2) (t) words deleted, added (2) word added
26.	--	
27.	1(k), Proviso added 1(o) Added after (n) Sub-section (2) is deleted	(1)(c), (3) Sub-section (1) (c) (j) (l) (m)
29.	After (2) (l), 2(la) inserted (2) (n) inserted after 2(m)(3) substitution in place of (3) of Principal Act	(1) (2) (f), (l) (m)
30.	2(d) Addition of portion at the end	2(p) in (r) deleted, added words
31.	(1) words added at end	(3)(f) words substituted
32.	(5)(a)(iv) proviso two is deleted 5(f)(ii) proviso added after existing proviso 5(g) new clause added after 5(f)	(5)(a)(iv) words added (5) (f) (6) (a) & (b) words added (b) (a) (b) (7)
33.	(5)(d), inserted after 5(c)	
34.	Added portion to clause (c)(ii)	(a) (c) (d) (e) (g)
35.	New clause 2(ja) added to Section (2)	(2) (e), (7) (i) (ii)
36.	36(A) inserted after 36	36(2) added words 36(4) added words 36(s) deleted words 36 (t) deleted words
37.	(3)(c) Proviso added (3)(c) added clause (d) Add Sub-section (5) after (4)	(2) (c) (iii) (a) (b)
38.	Added proviso to clause (a) Added clause (I) after clause (h)	

39.	(1)(c) substituted (1)(d) portion added at the end (1)(h) added after (g)	(1)
40.	(2)(b)(ii)(iii) proviso added in clause (4)(a)(ii) clause (iia) (iib) inserted	(2)(a)(vi) words added at the end
42.	Principal Section 42 substituted by Amendment Act, New Section 42.	
44.	Entry (f) inserted after entry (e)	
49.	Sub-section (6) added after sub-section (5)	
50.	New Sub-section (1) (a),(b),(c) 250 (2), substituted in place of Sub-section (1) & (2) of Principal Act.	
56.	Clause (12) of Sub-section (2) substituted in Sub-section (3), added clauses (g)(h)(i) 57(3)(b) amended	Sub-section (3) deleted and added words
57.	After (3)(b) inserted clauses (ba) (bb) Sub-section (4) deleted	3(b)
58.		In Sub-section (1) words substituted
59.		1(a) deleted some words 1(b) substituted some words
75.	2(a)(viii) added after 2(a)(vii)	1(b) substitution of some words 2(a)(iv)
76.	Added clauses (g) (h) after 2(f)	2 (d), (e) (f)
77.	(b), (v), (vi), (vii) added after b(iv)	(a) (b) (iii), (c) second proviso
78.	Clause (d) (e) (f) added after clause (c)	
81.		(1)(9)
82.	Substitution of Sub-section (1) of Principal Act by new Sub-section by Amended Act. After the existing Proviso in Sub-section (5) the new Proviso has been added.	
83.	Sub-Section (5) new sub-section (5) is substituted.	
85.	(1)(g) added after (1)(f) (4) Added portion at the end	(1)(a)(f)
87.		The words institution inserted after the words affiliated.
90.	(2)(d) added after 2(c)(b) substituted	(3)

	Sub-section (8) added after Sub-section (7)	
95.		(6)
96.	Inserted portion to Sub-section (2)	
99.	(1)(b), substituted	
101.		(2) Words inserted
102.	Entry (1)(b) substituted Sub-section (7) Substituted by new Sub-section	
105.	Sub-section (8) (9) added after (7)	
	Schedule Part-I Sub-entry (5) added to sub-entry (4), in entry 7, column (3) sub-entry (3) added after sub-entry (2) in entry 8, column (3) Part-I sub-entry (4) added after sub-entry (3) in column (2)	

Section 62, 63(1)(ii) of the Amended Act, 2000, relate to saving removal of difficulties, repeal of Maharashtra Order XIV of 2000 and of Maharashtra Order XX of 2000 saving.

महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १, अंक ५(२)] मंगळवार, मार्च २४, २००९/चैत्र ३, शके १९३१ [पृष्ठे ४, किंमत : रुपये २०.००

असाधारण क्र. २१

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Universities (Amendment) Ordinance, 2009 (Mah. Ord. IV of 2009), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra.

H. B. PATEL,
Secretary to Government,
Law and Judiciary Department.

[Translation in English of the Maharashtra Universities (Amendment) Ordinance, 2009 (Mah. Ord. IV of 2009), published under the authority of the Governor].

HIGHER AND TECHNICAL EDUCATION DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 24th March 2009.

MAHARASHTRA ORDINANCE No. IV OF 2009.

AN ORDINANCE
further to amend the Maharashtra Universities Act, 1994.

WHEREAS both Houses of the State Legislature are not in session;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Maharashtra Universities Act, 1994, for the purposes hereinafter appearing ;

Mah. XXXV of 1994.

Amendment of section 12 of Mah. XXXV of 1994.

2. In section 12 of the Maharashtra Universities Act, 1994 (hereinafter referred to as "the principal Act"),— Mah. XXXV of 1994.

(*a*) for sub-section (*1*), the following sub-section shall be substituted, namely :—

"(*1*) 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;

[redacted]

of national repute such as, Indian Institute of Technology, Indian Institute of Management, Indian Institute of Science, Indian Space Research Organisation or National Research

Chairman of the Committee;

(*c*) The members nominated shall be the persons who are not connected with the university or any college or any recognised institution of the university;

(*d*) No meeting of the Committee shall be held unless all the three members of the Committee are present";

(*b*) for sub-section (*3*), the following sub-sections shall be substituted, namely :—

"(*3*) The Committee shall recommend a panel of not less than five suitable persons for the consideration of the Chancellor for being appointed as the Vice-Chancellor. The names 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.

(*3A*) A person recommended by the Committee for appointment as a Vice-Chancellor shall,—

(*a*) be an eminent academician or an administrator of high caliber ;

(*b*) be able to provide leadership by his own example ;

(*c*) be able to provide vision and have ability to translate the same into reality in the interest of students and society ; and

(*d*) possess such educational qualifications and experience as may be specified by the State Government, by an order published in the *Official Gazette*, in consultation with the Chancellor.

(*3B*) 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.".

Insertion of section 24A in Mah. XXXV of 1994.

3. After section 24 of the principal Act, the following section shall be inserted, namely :—

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

"**24A**. 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 or nominated as a member of any authority of the university. ".

Amendment of section 103 of Mah. XXXV of 1994.

4. In section 103 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely :—

"(*2A*) The State Government shall cause the audited annual accounts of the university, received by it, to be laid before each House of the State Legislature.".

5. Section 104 of the principal Act shall be re-numbered as Amendment

STATEMENT

Section 12 of the Maharashtra Universities Act, 1994 (Mah. XXXV of 1994) provides for appointment of the Vice-Chancellor, who is the Principal Executive and Academic Officer of the university and *Exofficio* Chairman of the Management Council, Academic Council, Board of Examinations, Finance Committee and Academic Services Committees. Although the said section 12 provides for constitution of the Committee for recommending names of suitable persons for appointment as a Vice-Chancellor, the Act, nowhere, provides for the eligibility conditions for the appointment as a Vice-Chancellor. Similarly, Chapter IV of the Act provides for constitution of authorities of the university. However, no specific eligibility conditions for being elected or nominated as a member of any of the authorities of the university are laid down in the said Chapter.

It is, therefore, considered expedient to amend section 12 of the Act, so as to incorporate therein the eligibility conditions for the appointment as a Vice-Chancellor. It is also considered expedient to insert a new section 24A in the Act, with a view to take power to the State Government to specify the eligibility conditions for being elected or nominated as a member of any of the authorities of the university.

2. An opportunity is also taken to provide that the annual accounts and the annual report of the university received by the State Government, shall be laid before both Houses of the State Legislature.

3. The process for recommending suitable names for the consideration of the Chancellor for being appointed as a Vice-Chancellor of various universities is to commence shortly. It is, therefore, considered expedient to amend the said Act, immediately.

4. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Maharashtra Universities Act, 1994 (Mah. XXXV of 1994), for the purposes aforesaid, this Ordinance is promulgated.

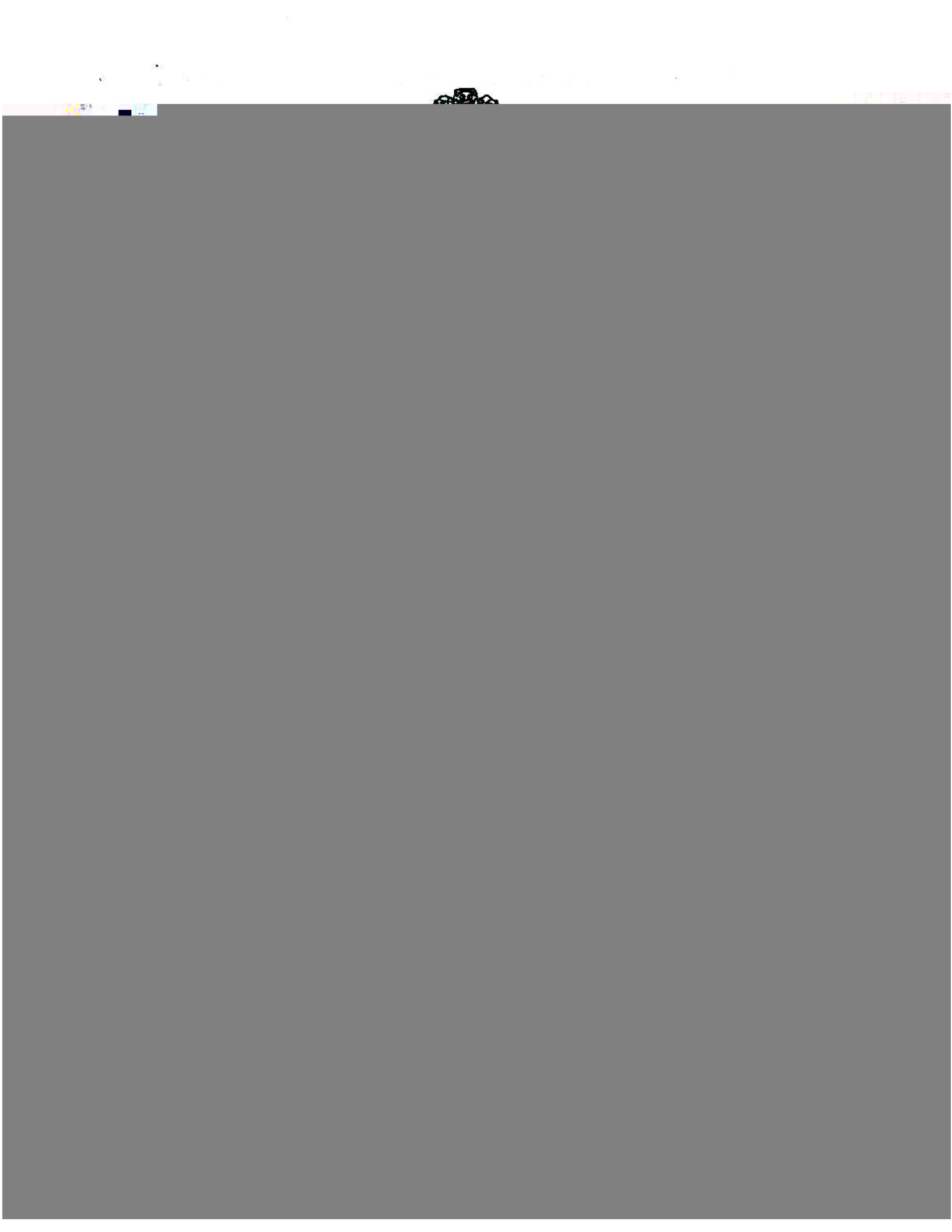
Mumbai,
Dated the 24th March 2009.

S. C. JAMIR,
Governor of Maharashtra.

By order and in the name of the Governor of Maharashtra,

J. S. SAHARIA,
Principal Secretary to Government.

ON BEHALF OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATION, PRINTED AND PUBLISHED BY SHRI PARSHURAM JAGANNATH GOSAVI, PRINTED AT GOVERNMENT CENTRAL PRESS, 21-A, NETAJI SUBHASH ROAD, CHARNI ROAD, MUMBAI 400 004 AND PUBLISHED AT DIRECTORATE OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATION, 21-A, NETAJI SUBHASH ROAD, CHARNI ROAD, MUMBAI 400 004.



परिशिष्ट १

अ क्र.	प्राधिकरण व कलम	निवडणुकीद्वारे नियुक्त केल्या जाणाऱ्या सदस्यांसाठी पात्रता / निकष
(१)	(२)	(३)
१	**अधिसभा (कलम - २५)**	
	कलम २५ (२) (ठ) प्राचार्य - १८	निवड :— प्राचार्यांनी मिळून बनलेल्या निर्वाचक गणाद्वारे — १. विद्यापीठाशी संलग्नित, संचलित, किंवा स्वायत्त महाविद्यालयांचा प्राचार्य असावा. २. त्यापैकी २ पेक्षा कमी असणार नाहीत एवढ्या महिला असाव्यात. ३. अनुसूचीत जाती / अनुसूचीत जमाती / विमुक्त जाती / भटक्याजमाती / इतर मागासवर्गीय या प्रवार्गातील चक्रीय आरक्षणाप्रमाणे १ व्यक्ती. ४. दिनांक १३ ऑक्टोबर २००० पूर्वी पदनियुक्त झाल्याखेरीज पीएच.डी धारक असावा. ५. किमान ५ वर्षांचा प्राचार्य पदावरील अनुभव असावा. ६. किमान १५ वर्षांचा अध्यापनाचा अनुभव असावा. ७. विद्यापीठ पातळीवर केंद्रीय मूल्यमापन कार्यक्रमांतर्गत पेपर सेटर / परिक्षक / नियामक (Moderator) / अध्यक्ष / समन्वयक म्हणून किमान ५ वेळा काम केलेले असावे.
	कलम २५ (२) (ड) व्यवस्थापन परिषदेचे संलग्न महाविद्यालये किंवा मान्यताप्राप्त परिसंस्थाचे प्रतिनिधी - ८	निवड :—व्यवस्थापनाचा सभापती किंवा अध्यक्ष किंवा व्यवस्थापन शिफारस करील असा व्यवस्थापनाचा प्रतिनिधी यांचा समावेश असलेल्या निर्वाचक गणाद्वारे निवड — १. आठ प्रतिनिधींपैकी दोन महिला प्रतिनिधी असाव्यात. २. अनुसूचीत जाती / अनुसूचीत जमाती / विमुक्त जाती / भटक्या जमाती / इतर मागासवर्गीय या प्रवर्गातील चक्रीय आरक्षणाप्रमाणे १ व्यक्ती असावी. ३. पदवी पातळीवरील शैक्षणिक संस्थेतील / कार्यालयातील १० वर्षाचा कार्यालयीन अनुभव. ४. संस्थेचे अध्यक्ष / सचिव म्हणून किमान ५ वर्षे

परिशिष्ट १—चालू

(१)	(२)	(३)
	२५(२) (त) अध्यापक - २०	अध्यापकांनी त्यांच्या मधून शाखानिहाय प्रमाणानुसार निवडून दिलेले अध्यापक — १. यापैकी तीन महिला असतील. २. अनुसूचीत जाती / अनुसूचीत जमाती / विमुक्त जाती / भटक्या जमाती / इतर मागासवर्गीय प्रवार्गातील चक्रीय आरक्षणाप्रमाणे २ व्यक्ती असाव्यात. ३. पाच वर्षांपेक्षा कमी नसलेला अध्यापनाचा अनुभव. ४. विद्यापीठाचा विभाग प्रमुख किंवा विद्यापीठ परिसंस्थेचा प्रमुख किंवा मान्यता प्राप्त परिसंस्थेचे प्राचार्य किंवा प्रमुख यांच्या व्यतिरिक्त असावा. ५. पीएच.डी अर्हता धारक असावा. ६. अध्यक्ष / पेपर सेटर / परिक्षक / समन्वयक / नियामक (Moderator) म्हणून किमान ५ वेळा काम केल्याचा अनुभव असावा.
	२५(२)(द) विद्यापीठाचे नोंदणीकृत पदवीधर - १०	निवड कलम ९९ (५) अन्वये स्थापन केलेल्या निर्वाचन गणामार्फत — १. दहापैकी एक महिला सदस्य असावी. २. अनुसूचीत जाती / अनुसूचीत जमाती / विमुक्त जाती / भटक्या जमाती / इतर मागासवर्गीय प्रवर्गातील प्रत्येकी एक सदस्य व्यक्ती. ३. नोंदणीकृत पदवीधरांमध्ये अध्यापक (नियमित / कंत्राटी) / प्राचार्य / विभागप्रमुख / व्यवस्थापन या पोट कलमात नमूद केलेल्या पदवीधरांचा समावेश होणार नाही. ४. निवडणूक तारखेपूर्वी किमान १० वर्षे अगोदर पदवी प्राप्त केलेली असावी. ५. संलग्नित महाविद्यालये, संस्था, मान्यताप्राप्त परिसंस्था कार्यालयात कामे करणारा नसावा.
	२५(२) (म) स्नातकोत्तर अध्यापक - ५	निवड — स्नातकोत्तर अध्यापकांनी त्यांच्यामधून निवडून दिलेले— १. स्नातकोत्तर स्तरावर ५ वर्षांचा अध्यापनाचा अनुभव असावा.

परिशिष्ट १—चालू

(१)	(२)	(३)
		४. पीएच.डी अर्हता धारक असावा. ५. विद्यापीठ स्तरावरील परीक्षांमध्ये अध्यक्ष / पेपर सेटर / परीक्षक/ समन्वयक / नियामक (Moderator) म्हणून किमान ५ वेळा काम केल्याच्या अनुभव असावा. ६. राष्ट्रीय/आंतरराष्ट्रीय संशोधन जर्नलस मध्ये बारकाईने पुनर्विलोकन केलेले किमान ३ संशोधन पेपर प्रकाशित केलेले असावेत. ७. पीएच. डी मार्गदर्शक असावा.
२	**व्यवस्थापन परिषद (कलम -२७)**	
२७(१) (ग) अधिष्ठाता - १		निवड - अधिष्ठांत्यामधून अधिसभेद्वारे – १. १० वर्षांपेक्षा कमी नसलेला अध्यापनाचा अनुभव. २. विभागप्रमुख म्हणून किमान ३ वर्षांचा अनुभव असावा. ३. पीएच.डी अर्हता धारक असावा. ४. ख्यातनाम / प्रख्यात राष्ट्रीय/आंतरराष्ट्रीय संशोधन जर्नलस मध्ये बारकाईने पुनर्विलोकन केलेले किमान ३ संशोधन पेपर प्रकाशित केलेले असावेत. ५. पीएच.डी मार्गदर्शक असावा. ६. विद्यापीठ पातळीवर पेपर सेटर/ परिक्षक / नियामक (Moderator) /अध्यक्ष / समन्वयक म्हणून किमान ५ वेळा काम केलेले असावे.
२७(१)(त्र) प्राचार्य - २		निवड - अधिसभेद्वारे – १. अधिसभेचे सदस्य असलेल्या प्राचार्य मधून. २. यापैकी अनुसूचीत जाती / अनुसूचीत जमाती / विमुक्त जाती/ भटक्या जमाती / इतर मागासवर्ग या प्रवर्गामधून एक व्यक्ती असावी. ३. दिनांक १३ ऑक्टोबर २००० पूर्वी नियुक्त झाल्याखेरीज व पीएच.डी अर्हता धारक असावा. ४. प्राचार्य म्हणून किमान ५ वर्षांचा अनुभव असावा. ५. अध्यापक म्हणून किमान १५ वर्षांचा अनुभव असावा. ६. विद्यापीठांतर्गत केंद्रीय मूल्यमापन कार्यक्रमात पेपर सेटर / परिक्षक / नियामक (Moderator) / अध्यक्ष / समन्वयक म्हणून किमान ५ वेळा काम करण्याच्या अनुभव असावा.

परिशिष्ट १—चालू

(१)	(२)	(३)
	२७(१)(ट) अध्यापक - १	निवड -अधिसभेने, त्या अधिसभेचे सदस्य असलेल्या अध्यापकांमधून — १. विद्यापीठ विभाग किंवा विद्यापीठ परिसंस्थेमधील असावा. २. पदव्युत्तर अध्यापनाचा १० वर्षांचा अनुभव असावा. ३. तो विद्यापीठ विभागाचा किंवा विद्यापीठ परिसंस्थेचा प्रमुख किंवा संचालक असणार नाही. ४. १० वर्षांचे अनुभवधारक उपलब्ध न झाल्यास किमान ५ वर्षांचा अध्यापनाचा अनुभव. ५. पीएच.डी अर्हताधारक असावा. ६. विद्यापीठीय परीक्षांसाठी पेपरसेटर / परीक्षक / नियामक (Moderator) / अध्यक्ष / समन्वयक म्हणून किमान ५ वेळा काम करण्याचा अनुभव असावा. ७. मान्यताप्राप्त / विख्यात राष्ट्रीय /आंतरराष्ट्रीय संशोधन बारकाईने पुनर्विलोकन जर्नलस मध्ये किमान ३ संशोधन पेपर प्रकाशित केलेले असावेत. ८. पीएच.डी मार्गदर्शक असावा.
	२७(१)(ज) (ठ) अध्यापक - २	निवड - अधिसभेने, त्या अधिसभेचे सदस्य असलेल्या संलग्न महाविद्यालयांच्या अध्यापकांमधून — १. संलग्नित महाविद्यालये व अधिसभेचे सदस्य असलेल्या अध्यापकांमधून. २. अध्यापनाचा १६ वर्षांचा अनुभव असावा. ३. ते प्राचार्य असणार नाहीत. ४. यापैकी एक महिला असेल. ५. पीएच.डी अर्हताधारक असावा. ६. विद्यापीठाद्वारे विद्यापीठ पातळीवर अध्यक्ष / पेपरसेटर / नियामक (Moderator) / परीक्षक / समन्वयक म्हणून किमान ५ वेळा

परिशिष्ट १—चालू

(१)	(२)	(३)
	२७(१)(ण) व्यवस्थापनचे प्रतिनिधी - २	निवड -अधिसभेने त्यांच्यामधून निवडून दिलेले – १. अधिसभेने त्यांच्यामधून निवडून दिलेले प्रतिनिधी २. यापैकी एक माहिला प्रतिनिधी असेल. ३. पदवी पातळीवरील शैक्षणिक संस्थेत १० वर्षांचा कार्यालयीन अनुभव. ४. शैक्षणिक संस्थेचा अध्यक्ष / सचिव म्हणून किमान ५ वर्षांचा अनुभव. ५. देशातील सर्वोच्च संस्थांचे प्रतिनिधीत्व करणाऱ्या अपेक्स संस्था उदा. NAAC, NBA द्वारे मान्यताप्राप्त संस्थेचा किंवा विद्यापीठ अनुदान (UGC) अधिनियम २(एफ) आणि १२(बी) अन्वये मान्यताप्राप्त संस्थेचा प्रतिनिधी.
३	**विद्यापरिषद (कलम - २९)**	
	२९ (२)(च) प्राचार्य - ८	निवड - प्राचार्यांनी त्यांच्यामधून निवडून दिलेले – १. संचालित संलग्न आणि स्वायत्त महाविद्यालयांच्या प्राचार्यांमधून. २. यापैकी दोन महिला प्रतिनिधी असतील. ३. अनुसूचीत जाती /अनुसूचीत जमाती /विमुक्त जाती / भटक्या जमाती / इतर मागासवर्ग या प्रवर्गांतील एक व्यक्ती चक्रीय आरक्षणाप्रमाणे. ४. दिनांक १३ ऑक्टोबर २००० पूर्वी नियुक्त झाल्याखेरीज पीएच.डी अर्हताधारक असावा. ५. प्राचार्य म्हणून किमान ५ वर्षे अनुभव असावा. ६. अध्यापनाचा १५ वर्षांचा अनुभव असावा. ७. विद्यापीठच्या केंद्रीय मुल्यामापन कार्यक्रमांतर्गत पेपरसेटर / परीक्षक / नियामक (Moderator) /अध्यक्ष / समन्वयक म्हणून किमान ५ वेळा काम करण्याचा अनुभव.
	२९(२)(छ)	निवड - निर्वाचन गण सदस्यांनी, ज्यामध्ये अध्यक्ष, सभापती

परिशिष्ट १—चालू

(१)	(२)	(३)
		२. संस्थेचा अध्यक्ष / सचिव म्हणून किमान ५ वर्षे अनुभव. ३. देशातील सर्वोच्च संस्थांचे प्रतिनिधीत्व करणाऱ्या अपेक्स संस्था उदा. NAAC, NBA द्वारे मान्यताप्राप्त संस्थेचा किंवा विद्यापीठ अधिनियम २(एफ) आणि १२(बी) अन्वये मान्यताप्राप्त संस्थेचा प्रतिनिधी.
४	**विद्याशाखा (कलम - ३३)**	
	३३(५) (ग) प्रत्येक अभ्यास मंडळाचे सदस्य - ३	निवड - अभ्यासमंडळानी, त्यांच्या सदस्यांमधून – या सदस्यांपैकी एक पदव्युत्तर अध्यापक असावा
	१५(२) अधिष्ठाता	१. १५(२)(क) विद्याशाखेचे सदस्य आपल्यामधूनच विद्याशाखेच्या व अधिष्ठात्याची निवड करतील आणि तो लागोपाठच्या दुस-या मुदतीसाठी निवडून येण्यास पात्र असणार नाही. २. १५(२)(ख) विद्यापरिषदेने विद्याशाखेवर नेमलेला कोणताही सदस्य, अधिष्ठाता पदाची निवडणूक लढविण्यास पात्र असणार नाही. ३. अध्यापनाचा १० वर्षांपेक्षा कमी नसलेला अनुभव. ४. विभाग प्रमुख म्हणून किमान ३ वर्षे अनुभव. ५. पीएच.डी अर्हताधारक असावा. ६. मान्यताप्राप्त / विख्यात राष्ट्रीय / आंतरराष्ट्रीय जर्नलस मध्ये बारकाईने पुनर्विलोकन केलेले किमान ३ संशोधन पेपर प्रकाशित केलेले असावेत. ७. पीएच.डी मार्गदर्शक असावा. ८. विद्यापीठ पातळीवर पेपरसेटर / परीक्षक / नियामक (Moderator) / अध्यक्ष / समन्वयक म्हणून किमान ५ वेळा काम केलेले असावे.
५	**अभ्यासमंडळ (कलम - ३७)**	

परिशिष्ट १—[redacted]

[redacted]

स्त्रीया, मागासवर्गीय, उद्योग व व्यवसाय क्षेत्रातील व्यक्ती.

२. संलग्न महाविद्यालय / विद्यापीठ यांच्याशी संबंधीत नसावी

३. वित्तिय किंवा उद्योग क्षेत्रातील पार्श्वभूमी असलेले किमान २ सदस्य असावेत.

२५(२)(ब) (न)
व्यक्ती - २

नामनिर्देशन - कुलपती

१. मान्यताप्राप्त संस्थेची प्रमुख असावी.

२. पीएच.डी अर्हताधारक.

३. संबंधीत विषय / क्षेत्रातील शिक्षणतज्ज्ञ, वैज्ञानिक क्षेत्रातील तज्ज्ञ असावा व तसे प्रमाणित करावे.

परिशिष्ट २—चालू

(१)	(२)	(३)
२		**व्यवस्थापन परिषद (कलम - २७)**
	२७(१)(घ) व्यक्ती - १	नामनिदर्शन - कुलपतीद्वारे विख्यात शिक्षणतज्ञ, राष्ट्रीय किंवा राज्यस्तवरील महत्त्वपूर्ण संस्थामधील वैज्ञानिकातून.
	२७ (१)(ज) प्रमुख /संचालक - १	नामनिदर्शन - अधिसभेद्वारे १. विद्यापीठ विभागाचे प्रमुख किंवा परिसंस्थाचे संचालकांमधून २. पी.एच.डी. अर्हता धारक ३. संबंधीत विषय / क्षेत्रात शिक्षणतज्ञ वैज्ञानिक क्षेत्रातील तज्ञ असावा व तसे प्रमाणीत करावे. ४. अध्यापनाचा १५ वर्षांचा अनुभव ५. राष्ट्रीय/आंतरराष्ट्रीय संशोधन जर्नलस मध्ये बारकाईने पूनर्विलोकन केलेले किमान ३ संशोधन पेपर प्रकाशित केलेले असावेत.
३		**विद्यापरिषद (कलम - २९)**
	२९(२)(छ) प्राध्यापक - १	नामनिर्देशन - कुलगुरुद्वारे १. विद्यापीठ विभाग किंवा परिसंस्थेतील प्राध्यापकांमधून २. पी.एच.डी. अर्हता धारक ३. प्राध्यापक म्हणून किमान ३ वर्षांचा अनुभव ४. किमान तीन पी.एच.डी विद्यार्थ्यांना मार्गदर्शन केलेले असावे ५. विद्यापीठाच्या केंद्रीय मूल्यमापन कार्यक्रमांतर्गत (CAP) पेपरसेटर / परीक्षक / नियामक (Moderator) / अध्यक्ष / समन्वयक म्हणून किमान ५ वेळा काम करण्याच्या अनुभव. ६. राष्ट्रीय/आंतरराष्ट्रीय संशोधन जर्नलस मध्ये बारकाईने पूनर्विलोकन केलेले किमान ३ संशोधन पेपर प्रकाशित केलेले असावेत.
	२९(२)(झ) मान्यताप्राप्त परिसंस्थेचा प्रमुख - १	नामनिर्देशन - कुलगुरुद्वारे १. पी.एच.डी. अर्हता धारक २. संबंधीत विषय / क्षेत्रात शिक्षणतज्ञ वैज्ञानिक क्षेत्रातील तज्ञ असावा व तसे प्रमाणीत करावे.

परिशिष्ट २——चालू

(१)	(२)	(३)
	२९(२)(ट) विद्यापीठाचे संचालक / विद्याविषयक सेवा युनिटचा प्रमुख - १	नामनिर्देशन - कुलगुरुद्वारे १. पी.एच.डी/एम फील अर्हता धारक २. संचालक/प्रमुख म्हणून किमान ३ वर्षे अनुभव.
	२९(२)(ट) उच्चशिक्षणातील निष्णात तज्ञ - २	नामनिर्देशन - कुलपतीद्वारे निष्णात वैज्ञानिक, शिक्षणतज्ञ असल्याचे पुराव्यानिशी सिद्ध झालेले असावे.
	२९(२)(ज) अध्यापक - १	स्वीकृत - विद्यापरिषदने प्रत्येक विद्याशाखेतून स्वीकृत केलेले प्रतिनिधी १. अद्यापनाचा किमान १६ वर्षांचा अनुभव असलेल्या अध्यापकांमधून. २. अन्य महाविद्यालयाचे प्राचार्य विद्यापीठाचे विभाग प्रमुख व मान्यताप्राप्त संस्थांचे प्रमुख यांच्या खेरीज. ३. पी.एच.डी. अर्हता धारक ४. राष्ट्रीय /आंतरराष्ट्रीय संशोधन जर्नलस मध्ये बारकाईने पूनर्विलोकन केलेले किमान ३ संशोधन पेपर प्रकाशित केलेले असावेत.
४	**परीक्षामंडळ (कलम - ३१)**	
	३१(३)(घ) विद्यापीठ विभागाचा प्रमुख - १	नामनिर्देशन - कुलगरुद्वारे १. प्रपाठकांपेक्षा कमी दर्जा नसलेला २. विद्यापीठ अनुदान आयोगाद्वारे प्रपाठकासाठी वेळोवेळी निश्चित केलेला शैक्षणिक अर्हता धारक. ३. पी.एच.डी. अर्हता धारक तसेच मान्यताप्राप्त अध्यापक म्हणून किमान १० वर्षांचा अध्यापनाचा अनुभव ज्यातील किमान ५ वर्षे पदव्युत्तर पातळीवरील.

परिशिष्ट २—चालू

(१)	(२)	(३)
	३१(३)(ड) प्राचार्य - १	नामनिर्देशन - व्यवस्थापन परिषद १. अधिष्ठाता नसावा. २. दिनांक १३ ऑक्टोबर २००० पूर्वी नियुक्ती झालेल्याखेरीज
	३१(३)(ज) - मूल्यमापन तज्ञ - १	स्वीकृत - परीक्षा मंडळाद्वारे १. किमान १५ वर्षांचा व यापैकी ५ वर्षांचा पदव्युत्तर पातळीवरील अध्यापनाचा अनुभव. २. पी.एच.डी. अर्हता धारक ३. विद्यापीठाद्वारे केंद्रीय मूल्यमापन कार्यक्रमांतर्गत अध्यक्ष / पेपरसेटर / नियामक / परीक्षा नियंत्रक / समन्वयक म्हणून ५ वेळा काम केलेले असावे.
५	**विद्याशाखा कलम - ३३**	
	३३(५)(घ) प्राचार्य व शिक्षक	नामनिर्देशन - विद्यापरीषदेने त्यांच्या सदस्यामधून विद्याशाखेत सामावलेले सदस्य

परिशिष्ट २—चालू

(१)	(२)	(३)
		१. दि. १३/१०/२००० पूर्वी नियुक्ती झालेल्या खेरीज पीएच.डी अर्हता धारक असावा. २. प्राचार्य म्हणून किमान ५ वर्षे अनुभव. ३. अध्यापनाचा किमान १५ वर्षे अनुभव. ४. विद्यापीठाच्या केंद्रीय मुल्यमापन कार्यक्रमांतर्गत पेपरसेटर/ परिक्षक/नियामक (Moderator)/अध्यक्ष / समन्वयक म्हणून किमान ५ वेळा काम करण्याच्या अनुभव
६		**महाविद्यालय व विद्यापीठ विकास मंडळ (कलम - ३५)**
	३५(२)(ग) - विद्याशाखेचा अधिष्ठाता - १.	नामनिर्देशन - विद्यापरिषद -
	३५(२)(घ) - प्रमूख / संचालक - १	नामनिर्देशन - विद्यापरिषद १. विद्यापीठाचे व संस्थाचे विभाग प्रमुख किंवा संचालक यांचेमधून २. प्राध्यापकापेक्षा कमी दर्जा नसलेले ३. अधिष्ठाता नसलेले ४. विद्यापीठ अनुदान आयोगाद्वारे वेळोवेळी निश्चित केलेली प्राध्यापकाची अर्हता धारण करणारा. ५.विद्यापीठाने केलेल्या नियुक्तीनुसार अध्यक्ष / पेपरसेटर नियामक/ परिक्षक / समन्वयक म्हणून विद्यापीठस्तरावर ५ वेळा काम केलेले असावे.
	३५(२)(ड) - अध्यापक - १	नामनिर्देशन - कुलगुरु १.अधिष्ठाता / विद्यापीठाचा / परिसंस्थेचा / विभागाचा प्रमुख नसेल. २. पदव्युत्तर शिक्षण देणारा किंवा संशोधन मार्गदर्शक असावा. ३. पीएच.डी अर्हता धारक. ४. विद्यापीठाच्या परिक्षांकरीता पेपरसेटर / परिक्षक / नियामक (Moderator) / अध्यक्ष / समन्वयक म्हणून किमान ५ वेळा काम करण्याच्या अनुभव. ५. मान्यता प्राप्त / विख्यात राष्ट्रीय / आंतरराष्ट्रीय संशोधन जर्नलस मध्ये बारकाईने पूनर्विलोकन केलेले किमान ३ संशोधन पेपर प्रकाशित केलेले असावेत

[redacted]

नियामक / परीक्षक / समन्वयक / अध्यक्ष म्हणून किमान ५ वेळा काम करण्याचा अनुभव.

५. AICTE, MCI सारख्या सर्वोच्य संस्थाद्वारे वेळोवेळी प्राचार्य पदासाठी निश्चित केलेले पात्रता धारक असावा.

३५(२)(त्र) - व्यक्ती - २	नामनिर्देशन - कुलगुरु किमान वार्षिक रु. २०० कोटींची उलाढाल असणारे उद्योग, बँका, वाणिज्य किंवा व्यवसायिक मंडळे इत्यादिंचे अध्यक्ष, व्यवस्थापकीय संचालक, मुख्य कार्यकारी अधिकारी किंवा संचालक दर्जाची व्यक्ती असावा.

असावा.

३६ क (५) (सहा) - अति विशेषीकृत क्षेत्रातील तज्ञ

नामनिर्देशन - कुलगुरु
अति विशेषीकृत मुद्दयांच्या किंवा विषयाच्या मुल्यमापनासाठी विशेषीकृत तज्ञ व्यक्ती.

अभ्यासमंडळ (कलम - ३७)

३७(३)(क) - पदव्युत्तर अध्यापक - १

स्वीकृत - अभ्यासमंडळाद्वारे
१. संलग्न महाविद्यालयामध्ये, मान्यताप्राप्त अध्यापक म्हणून तसेच संबंधीत विषयातील पदव्युत्तर अध्यापनाचा दहा वर्षापेक्षा

परिशिष्ट २—चालू

(१)	(२)	(३)
		२. पीएच.डी अर्हता धारक असावा. ३. विद्यापीठीय परीक्षांचा पेपरसेटर / परीक्षक / समन्वयक / नियामक म्हणून ५ वेळा काम करण्याचा अनुभव असावा. ४. ख्यातनाम / प्रख्यात राष्ट्रीय/आंतरराष्ट्रीय संशोधन जर्नलस मध्ये बारकाईने पूनर्विलोकन केलेले किमान ३ संशोधन पेपर प्रकाशित केलेले असावेत. ५. पीएच.डी. मार्गदर्शक असावा.
	३७(३)(ख) - अध्यापक - १	स्वीकृत - अभ्यासमंडळाद्वारे १. संलग्न महाविद्यालयामध्ये, मान्यताप्राप्त अध्यापक म्हणून तसेच संबंधीत विषयामध्ये दहा वर्षाचा अध्यापनाचा अनुभव असावा. २. विद्यापीठामध्ये किंवा संलग्नित महाविद्यालयामध्ये विभागप्रमुख किंवा प्राचार्य नसेल. ३. पी.एच.डी अर्हता धारक असावा ४. विद्यापीठाने केलेल्या नियुक्तीनुसार अध्यक्ष / पेपरसेटर नियामक/ परिक्षक / समन्वयक म्हणून विद्यापीठस्तरावर ५ वेळा काम केलेले असावे.
	३७(३)(ग) - विख्यात तज्ञ -२ यापैकी किमान एक प्राध्यापक किंवा प्रपाठक.	स्वीकृत - अभ्यासमंडळाद्वारे १. अन्य विद्यापीठातील प्राध्यापक किंवा प्रपाठक असावा किंवा २. राष्ट्रीय प्रयोगशाळा किंवा परिसंस्था किंवा मान्यताप्राप्त संस्था या मधील सहायक संचालकापेक्षा कमी दर्जा नसलेले पद धारण करणारी व्यक्ती असावी किंवा ३. संबंधीत क्षेत्रातील तज्ञ असलेल्या व ज्यांचे,— अ. संबंधीत विषयातील किमान एक संदर्भ ग्रंथ / पुस्तक ब. किमान ३ शोध निबंध, मान्यताप्राप्त / विख्यात अशा राष्ट्रीय/ आंतरराष्ट्रीय जर्नल्समध्ये प्रकाशित झालेले असावेत. ४. संबंधीत विषयातील संशोधन आणि विकासात अग्रेसर असलेल्या उद्योग क्षेत्रातील संशोधन आणि विकास किंवा निर्मिती अधिकारी किंवा गुणवत्ता नियंत्रण अधिका-यापैक्षा कमी दर्जाचे नसलेले पद धारण करणारी व त्या क्षेत्रातील बुजुर्ग मानली जाणारी व्यक्ती असावी. ५. पीएच.डी अर्हता धारक

HIGHER AND TECHNICAL EDUCATION DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 14th September 2009

Order

MAHARASHTRA UNIVERSITIES ACT, 1994.

No. USG. 2009/(85/09)/UNI-4.— WHEREAS section 24-A of the Maharashtra Universities Act, 1994 empowers the State Government to specify, in consultation with the Chancellor, the eligibility conditions for being elected or nominated as a Member of any authority of the University;

NOW, THEREFORE, in exercise of the powers conferred by the said section 24A, the Government of Maharashtra hereby specifies that,—

(1) The eligibility condi[redacted]

Colleges.
2. Of whom not less than two, shall be women
3. At least one shall be the person belonging to SC/ST/DTNT/OBC by rotation
4. Shall possess Ph.D. degree, unless appointed before 13/10/2000.
5. Minimum 5 years experience as Principal
6. Minimum 15 years experience of teaching
7. Having worked for atleast 5 times as Paper Setter / Examiner/ Moderator / Chairman/ Co-ordinator of CAP at University exams.

Schedule I–contd.

(1)	(2)	(3)
	S. 25 (2)(m) - REPRESENTATIVES OF MANAGEMENT (Eight) – of Affiliated Colleges or Recognized Institution	*Elected by* – Electoral college consisting Chairman/ President/ Representative of Mgt. as Mgt may recommend,— 1. Two shall be women 2. One shall be the person belonging to SC/ST/ DTNT/OBC by rotation 3. Shall be an office bearer of an Educational Institution of 10 years standing at degree level 4. Minimum 5 years experience as Chairman/ Secretary of Institution 5. Shall represent an institution having certification by recognized accrediting bodies established by apex bodies in the country e.g. NAAC, NBA etc. & recognition from UGC under 2(f) & 12(b)
	S.25(2)(p) - TEACHER (Twenty)	*Elected by* – Teachers from amongst themselves seats being allotted faculty wise proportionately 1. Three shall be women 2. Two shall be the person belonging to SC/ST/ DTNT/OBC by rotation 3. Having teaching experience not less than 5 years. 4. Other than Heads of University Department/ Institutions or Principals / Heads of Recognized Institutions. 5. Shall possess Ph.D. degree 6. Having worked for at least 5 times as Chairman/Paper Setter / Moderator / Exam Co-ordinator at University level appointed by University.
	S.25(2)(r) - REGISTERED GRADUATES OF THE UNIVERSITY (Ten)	*Elected by* – Electoral college constituted as provided in Section 99(5) 1. One shall be Woman 2. One each shall be from the person belonging to SC/ST/DTNT/OBC 3. Registered Graduates shall not include graduates falling in the category of teachers (Regular/Contract Basis) Principals/Heads of the Departments/ Managements or any other categories mentioned in this sub-section.

Schedule I–contd.

(1)	(2)	(3)
		4. Shall have graduated atleast 10 years prior to the date of the Election. 5. Shall not be an office bearer of any Affiliated College, Institutions, Recognized Institutions
	S.25(2)(y) - POST GRADUATE TEACHERS (Five).	*Elected by* – PG teachers from amongst themselves :– 1. Having not less than 5 years teaching experience at Post Graduate level 2. Two shall be women 3. One shall be the person belonging to SC/ST/ DTNT/OBC by rotation 4. Shall possess Ph.D. degree 5. Having worked atleast 5 times as a Paper Setter/Examiner/Co-ordinator/ Moderator at University Examination 6. Published minimum 3 Research Papers in peer reviewed/ referred National / International Research Journals 7. Shall be a Ph.D. guide.
2	**MANAGEMENT COUNCIL (SECTION – 27)**	
	S.27(1)(c) - DEAN (One)	*Elected by* – Senate from amongst Deans :— 1. Having not less than 10 years of teaching exp[redacted]
		[redacted] Paper Setter/ Moderator/Exam Co-ordinator at

Schedule I–contd.

(1)	(2)	(3)
		5. Minimum 15 years experience of teaching 6. Having worked for atleast 5 times as Paper Setter / Examiner/ Moderator / Chairman/ Co-ordinator of CAP at University exams.
	S.27(1)(k) - TEACHER (One)	*Elected by* – Senate from amongst the teachers who are members of the Senate 1. From University Department/ University Institution. 2. With 10 years Post Graduate teaching experience. 3. Who is not a Head/Director of University Department/Institution. 4. If not available then at least 5 years PG teaching experience. 5. Should possess Ph.D. degree 6. Having worked atleast 5 times as a Paper Setter/Examiner/Co-ordinator/ Moderator at University Examination 7. Published minimum 3 Research Papers in peer reviewed/ referred National / International Research Journals. 8. Shall be a Ph.D. guide.
	S.27(1)(l) - TEACHERS (Two)	*Elected by* - Senate from amongst teachers of Affiliated Colleges, who are Members of Senate :– 1. Teacher to be from Affiliated College & Member of Senate. 2. 16 years teaching experience 3. Who is not a Principal 4. One of whom to be a Woman 5. Shall possess Ph.D. degree 6. Having worked for at least 5 times as Chairman/Paper Setter / Moderator / Exam Co-ordinator at University level appointed by University

Schedule I–contd.

(1)	(2)	(3)
	S.27(1)(n) - PERSONS (Three)	*Elected by* – Academic Council from amongst its members. As prescribed by Statute.
	S.27(1)(o) - REPRESENTATIVES OF MANAGEMENT (Two)	*Elected by* – Senate 1. By Senate from amongst themselves. 2. One of whom shall be a Woman representative. 3. Shall be an office bearer of an Educational Institution of 10 years standing at degree level. 4. Minimum 5 years experience as Chairman/ Secretary of Institution. 5. Should represent an institution having certification by recognized accrediting bodies established by apex bodies in the country eg. NAAC, NBA etc. & recognition from UGC under 2(f) & 12(b).
3	**ACADEMIC COUNCIL (SECTION – 29)**	
	S.29(2)(f) - PRINCIPAL (Eight)	*Elected by* –Principals from amongst themselves 1. Of Affiliated Conducted & Autonomous Colleges. 2. Of whom two shall be women. 3. One shall be the person belonging to SC/ST/ DTNT/OBC by rotation. 4. Shall possess Ph.D. degree, unless appointed before 13/10/2000. 5. Minimum 5 years experience as principal. 6. Minimum 15 years experience of teaching. 7. Having worked for atleast 5 times as Paper Setter/Examiner/Moderator/Chairman/Co-ordinator of CAP at University exams.
	S.29(2)(n) - REPRESENTATIVES OF MANAGEMENT (Two)	*Elected by* – Electoral college consisting Chairman President/Nominee of each Mgt. from amongst themselves. Where the Mgt. conduct more than

Schedule I–contd.

(1)	(2)	(3)
		2. Minimum 5 years experience as Chairman/ Secretary of Institution. 3. Shall represent an institution having certification by recognized accrediting bodies established by apex bodies in the country eg. NAAC, NBA etc. & recognition from UGC under 2(f) & 12(b).
4	**FACULTIES (SECTION – 33)**	
	S.33(5)(c) - MEMBERS OF EACH BOARD OF STUDIES (Three)	*Elected by* – Members by Board of Studies from amongst themselves • Of whom at least ONE shall be Post Graduate teacher.
	S.15(2) – Dean	1. S. 15(2)(a) Shall be elected by members of the faculty from amongst themselves and shall not be eligible for election for a second consecutive term. 2. S. 15(2)(b) NO member assigned by the Academic Council on the faculty shall be eligible to contest the election to the post of the Dean. 3. Having not less than 10 years of teaching experience. 4. Minimum 3 years experience as Head of the Department. 5. Shall possess Ph.D. 6. Published minimum 3 Research Papers in peer reviewed/refereed National/International research Journals. 7. Shall be a Ph.D. guide. 8. Having worked for at least 5 times as Chairman/Paper Setter/Moderator/Exam Co-ordinator at University level appointed by University.
5	**BOARD OF STUDIES (SECTION – 37)**	
	S.37(2)(b) - HEAD OF DEPARTMENT IN COLLEGES (Six)	*Elected by* – Heads of the Department from amongst themselves. 1. Shall be an approved teacher having not less than 10 years of teaching experience. 2. Minimum 3 years experience as HOD.

Schedule I–concld.

(1)	(2)	(3)
		3. Shall possess Ph.D. degree. 4. Having worked for at least 5 times as Chairman/Paper Setter/Moderator/Exam Co-ordinator at University level appointed by University.
	S.37(4) – CHAIRMAN BOARD OF STUDIES	
6	**STANDING COMMITTEE (SECTION – 50)**	
	S.50(3) - CHAIRMAN OF STANDING COMMITTEE	*Elected by* - Its member from amongst themselves

Schedule II

Sr. No.	Authority and Section	Eligibility conditions for being nominated as a member of the authority
(1)	(2)	(3)
1	**Senate (Section - 25)**	
	S.25(2)(q) - MEMBERS OF MAHARASHTRA LEGISLATIVE ASSEMBLY (Two)	*Nominated by* – Speaker of Maharashtra Legislative Assembly– Shall be a graduate
	S.25(2)(q) - MEMBERS OF MAHARASHTRA LEGISLATIVE COUNCIL (Two)	Nominated by – Chairman of Maharashtra Legislative Council Shall be a graduate
	S.25(2)	

Schedule II–contd.

(1)	(2)	(3)
		4. Total experience of 15 years of teaching. 5. Published minimum 3 Research Papers in peer reviewed/ refereed National / International research Journals.
	S.25(2)(u) - PERSONS (Three)	*Nominated by* – Vice-Chancellor 1. From amongst Heads of the University Department/Institutions. 2. Not below the rank of Reader. 3. Having worked atleast for 5 years as a Paper Setter/Examiner/Co-ordinator/Moderator. 4. Ph.D. or equivalent qualification. 5. Total experience of 10 years of teaching/ Research in Universities/Colleges and other Institutions of higher education.
	S.25(2)(w) - PERSONS (Two)	*Nominated by* – Vice-Chancellor 1. One shall be employee of the University. 2. Other shall be employee of Affiliated Colleges/ Recognized Institution. 3. Other than University Teachers, Teachers/ Registrars/ Deputy. Registrars/ Asstt. Registrars 4. Shall have atleast 10 years experience as full time employee at University/Affiliated College/ Recognized Institution. 5. Who has consistently good Confidential Report for the preceding 5 years.
	S.25(2)(x) - REPRESENTATIVE – Donor Individual/Donor organizations – One	*Nominated by* – Chancellor
	S.25(2)(z) - REPRESENTATIVE (One) – of Educational Committee Zilla Parishad (with in University Area)	*Nominated by* – Vice-Chancellor 1. For a period of one year by rotation. 2. Shall be atleast a Graduate.
	S.25(2)(aa) - REPRESENTATIVE (One) of Municipal Council/ Municipal Corporation (with in University Area)	*Nominated by* – Vice-Chancellor 1. For a period of one year by rotation. 2. Shall be atleast a Graduate.

Schedule II–contd.

(1)	(2)	(3)
2	**MANAGEMENT COUNCIL (SECTION – 27)**	
	S.27(1)(d) - PERSON (One)	*Nominated by* – Chancellor From amongst eminent academician, Scientist from Institutions of National or State importance.
	S.27(1)(h) - HEAD / DIRECTOR (One)	*Nominated by* - Senate 1. From amongst the Heads/Directors of University Department /Institutions. 2. Shall possess Ph.D. Degree. 3. Having evidence as acknowledged Expert in subject/ Field/as an Educationist/ as Scientist. 4. Total experience of 15 years of teaching. 5. Published minimum 3 Research Papers in peer reviewed/ refereed National / International research Journals.
3	**ACADEMIC COUNCIL (SECTION – 29)**	
	S.29(2)(g) - PROFESSOR (One)	*Nominated by* – Vice-Chan[redacted]
	S.29(2)(i) - HEAD OF RECOGNIZED INSTITUTION (One)	*Nominated by* – Vice- Chancellor 1. Shall possess Ph.D. Degree. 2. Having evidence as acknowledged Expert in subject/ Field/as an Educationist/ as Scientist. 3. Total experience of 15 years of teaching. 4. Having published minimum 3 Research Papers in peer reviewed/ refereed National / International research Journals.

Schedule II–contd.

(1)	(2)	(3)
	S.29(2)(j) - DIRECTOR/HEAD OF ACADEMIC SERVICE UNIT OF THE UNIVERSITY – (One)	*Nominated by* – Vice-Chancellor. 1. Shall possess Ph.D./ M.Phil. degree. 2. Minimum 3 years experience as Director/ Head.
	S.29(2)(k) - EMINENT EXPERTS –in the field of Higher Education (Two)	*Nominated by* – Chancellor 1. Eminent Scientist Educationist of proven record.
	CO-OPTED S.29(2)(h) - TEACHER (One)	*Representing Each faculty to be Co-Opted by Academic Council.* 1. From amongst the teachers having not less than 16 years teaching experience. 2. Other than Principals of the Colleges, Heads of University Department/Recognized Institution 3. Shall possess Ph.D. degree. 4. Having worked for atleast 5 times as Chairman/Paper Setter / Moderator / Exam Co-ordinator at University level appointed by University.
4	**BOARD OF EXAMINATION (SECTION – 31)**	
	S.31(3)(d) - HEAD (One) of University Department.	*Nominated by* – Vice- Chancellor 1. Not below the rank of Reader. 2. Having qualification of Reader as prescribed by UGC from time to time. 3. Shall be an approved teacher possessing a Ph.D. degree and having minimum 10 years teaching experience of which 5 years at PG level. 4. Shall be a Ph.D. guide. 5. Published minimum 3 Research Papers in peer reviewed / refereed National / International research Journals. 6. Having worked for atleast 5 times as Paper Setter/ Examiner/ Moderator / Chairman/ Co-ordinator of CAP at University exams. 7. Minimum 3 years experience as HOD if the teacher is from affiliated college.

Schedule II–contd.

(1)	(2)	(3)
		2. Shall possess Ph.D. degree, unless appointed before 13/10/2000. 3. Minimum 5 years experience as Principal. 4. Minimum 15 years experience of teaching. 5. Having worked for atleast 5 times as Paper Setter / Examiner/ Moderator / Chairman/ Co-ordinator of CAP at University exams.
	S.31(3)(f) - TEACHER (One)	*Nominated by* – Management Council 1. Other than Heads of University Departments or Principals. 2. From University Department/ University Institution. 3. With 10 years PG teaching experience. 4. Who is not a Head/Director of University Department/Institution. 5. If not available then at least 5 years PG teaching experience. 6. Shall possess Ph.D. degree. 7. Having worked as a Paper Setter/Examiner/ Co-ordinator/ Moderator at University Examination. 8. Published minimum 3 Research Papers in peer reviewed/ refereed National / International research Journals. 9. Shall be a Ph.D. guide.
	CO-OPTED S.31.(3)(h) - EVALUATION EXPERT (One)	*Co-opted by* - Board of Exams 1. Shall have 15 years teaching experience of which 5 years as PG teacher. 2. Shall possess Ph.D. degree. 3. Having worked for atleast 5 times as Chairman/Paper Setter/ Moderator/Exam Co-ordinator at University level appointed by University / Central Assessment Programme Co-ordinator.
5	**FACULTIES (SECTION – 33)**	
	S.33(5)(d) - PRINCIPAL & TEACHER	*Assigned to the faculty by the Academic Council from amongst its members.*

Schedule II–contd.

(1)	(2)	(3)
		1. Shall possess Ph.D. degree, unless appointed before 13/10/2000. 2. Minimum 5 years experience as Principal. 3. Minimum 15 years experience of teaching. 4. Having worked for atleast 5 times as Paper Setter / Examiner/ Moderator / Chairman/ Co-ordinator of CAP at University exams.
6	**BOARD OF COLLEGE AND UNIVERSITY DEVELOPMENT (SECTION – 35)**	
	S.35(2)(c) - DEAN OF FACULTY (One)	*Nominated by* - Academic Council.
	S.35(2)(d) - HEAD / DIRECTOR (One)	*Nominated by* - Academic Council. 1. From amongst Heads/Directors of University / Institutions/Department. 2. Not below the rank of Professor 3. Who is not a Dean. 4. Having qualification of Professor as prescribed. by UGC from time to time. 5. Having worked for atleast 5 times as Chairman/Paper Setter / Moderator / Exam Co-ordinator at University level appointed by University.
	S.35(2)(e) - TEACHER (One)	*Nominated by* - Vice-Chancellor 1. Not Dean/ Head of University/Institutions/ Departments. 2. Imparting Post Graduate Teaching /Guiding Research. 3. Shall possess Ph.D. degree. 4. Having worked atleast 5 times as a Paper Setter/Examiner/Co-ordinator/ Moderator at University Examination. 5. Published minimum 3 Research Papers in peer reviewed/ refereed National / International research Journals. 6. Shall be a Ph.D. guide.
	S.35(2)(f) - TEACHER (One)	*Nominated by* - Management Council 1. Imparting Under Graduate Teaching. 2. Not less than 16 years of teaching experience. 3. Shall possess Ph.D. degree.

Schedule II–contd.

(1)	(2)	(3)
		4. Having worked for at least 5 times as Chairman/Paper Setter / Moderator / Exam Co-ordinator at University level appointed by University.
	S.35(2)(g) - PRINCIPAL (One)	*Nominated by* - Management Council. 1. Of an Affiliated College of Arts, Science or Commerce. From amongst Principals who are members of Academic Council. 2. Shall possess Ph.D. degree, unless appointed before 13/10/2000. 3. Minimum 5 years experience as Principal. 4. Minimum 15 years experience of teaching. 5. Having worked for at least 5 times as Paper Setter / Examiner/ Moderator / Chairman/ Co-ordinator of CAP at University exams.
	S.35(2)(h) - PRINCIPAL (One)	*Nominated by* - Vice-Chancellor. 1. Of an Affiliated Professional College. 2. Minimum 5 years experience as Principal. 3. Minimum 15 years experience of teaching. 4. Having worked for at least 5 times as Paper Setter / Examiner/ Moderator / Chairman/ Co-ordinator of CAP at University exams. 5. Having qualification as prescribed for Principal by Apex Bodies such as AICTE, MCI etc. from time to time.
	S.35(2)(j) - PERSON (Two)	*Nominated by* - Vice-Chancellor. 1. To represent Industry, Banks, Commerce or Professional Bodies. 2. Of the rank of Chairman, Managing Director, CEO or Directors of companies having a turn over of at least 200 Crores p.a.
	S.35(2)(ja) - Members (Two)	*Nominated by* - Senate 1. One being representative of the Managements. 2. Shall be office bearer of Educational Institution of 10 years standing at degree level. 3. Minimum 5 years experience as Chairman/ Secretary of Institution.

Schedule II–contd.

(1)	(2)	(3)
		4. Shall represent an institution having certification by recognized accrediting bodies established by apex bodies in the country eg. NAAC, NBA etc. & recognition from UGC under 2(f) & 12(b).
	CO-OPTED S.35(2)(i) - **EXPERTS** (Two)	*Co-opted by* - BCUD From amongst the Heads of National & State Level Research Institutions.
8	**RESEARCH AND RECOGNATION COMMITTEE [SECTION – 36A(5)]**	
	S.36A(5)(v) - **EXPERTS** (Two) IN THE SUBJECT.	*Nominated by* Vice-Chancellor 1. Not below the rank of Reader 2. Having successfully guided at least 5 Ph.D. students 3. Published Research work in reputed National/ International Journals. 4. One of them from outside the University. 5. Having worked at least for 5 times as a Paper Setter/Examiner/Co-ordinator/ Moderator. 6. Total experience of 10 years of teaching/ Research in Universities/Colleges and other Recognized Institutions of higher education.
	S.36A(5)(vi) - EXPERT IN AREAS SPECIALIZATION	*Nominated by* Vice-Chancellor Specialization where the referee is to be appointed for evaluation of highly specialized topic
9	**BOARD OF STUDIES (SECTION – 37)**	
	S.37(3)(a) - POST GRADUATE TEACHER (One)	1. Shall be an approved teacher having not less than 10 years of teaching experience from amongst the teachers of the affiliated college having PG teaching in the subject. 2. Shall possess Ph.D. degree 3. Having worked for at least 5 times as a Paper Setter/Examiner/Co-ordinator/ Moderator at University Examination 4. Published minimum 3 Research Papers in peer reviewed/ referred National / International research Journals 5. Shall be a Ph.D. guide.

Schedule II–contd.

(1)	(2)	(3)
	S.37(3)(b) - TEACHER (One)	1. Shall be an approved teacher having not less than 10 years of teaching experience from amongst the teachers of the affiliated college in the subject. 2. Who is not Head of the Department in the University or Affiliated college or Principal. 3. Shall possess Ph.D. degree. 4. Having worked for at least 5 times as Chairman/Paper Setter / Moderator / Exam Co-ordinator at University level appointed by University.
	S.37(3)(c) - EMINENT PERSONS (Two) – of which at least one should be Professor or Reader in other University.	1. Professors or Reader in other Universities or, 2. Persons holding rank not lower than Asstt. Director in the National Laboratories/ Institution/ Recognized Institution or, 3. Experts in related field having published— (a) At least one reference book in the Subject or (b) Published minimum 3 Research Papers in peer reviewed/referred National/ International research Journals. 4. A Person holding rank not lower than that of Research & Development or Production Officer or Quality Control officer in an industry with significant presence with respect to Research & Development in the relevant subject. 5. Shall possess Ph.D. degree.
10	**BOARD OF CONTINUING & ADULT EDUCATION (SECTION – 39)**	
	S.39(1)(b) - PERSONS (Three)	*Nominated by* – Vice-Chancellor Engaged in Adult, Continuing Education or Extension Services who are residents within the University area. As a member of the authority of such Institutions or teacher not below the rank of the Reader or Head of an NGO engaged in similar activity for at least 10 years, Founder member of any such organizations engaged in similar activities or Officer of other Universities/ Institutions handling these departments.

Schedule II–contd.

(1)	(2)	(3)
	S.39(2)(d) - MEMBERS (Two)	*Nominated by* – Senate (One) Academic Council (One) 1. From amongst their members 2. One of whom shall be the Principal of a college where such activities are undertaken.
	S.39(2)(e) - STATION DIRECTOR OF ALL INDIA RADIO (One) in the University Area.	*Nominated by* – Vice-Chancellor
11	**STANDING COMMITTEE (SECTION – 50)**	
	S.50(2)(a) - MEMBERS (Four)	*Nominated by* – Senate 1. From amongst its members 2. One of whom shall be Dean 3. One shall be a Teacher
	S.50(2)(b) - MEMBERS (Three)	*Nominated by* – Management Council 1. From amongst its members 2. One shall be a Teacher 3. One of whom shall be a Woman Representative of the Managements.
	S.50(2)(c) - MEMBERS (Three)	*Nominated by* – Academic Council 1. From amongst its members 2. One of whom shall be person belonging to SC/ ST/DTNT/OBC by rotation. 3. One shall be a Teacher
	S.50(2)(d) - NOMINEE OF CHANCELLOR ON THE MANAGEMENT COUNCIL.	
12	**GRIEVANCE COMMITTEE (SECTION 57)**	
	S.57(3)(b) - MEMBERS (Two)	*Nominated by* - Management Council 1. From amongst members of Management Council. 2. One of them from SC/ST/DTNT/OBC by rotation.
	S.57(3)(ba) - MEMBERS (Two)	*Nominated by* - Senate 1. From amongst themselves 2. One Woman Representative of the Management 3. One - a teacher.

Schedule II–contd.

(1)	(2)	(3)
	S.57(3)/(bb)-MEMBERS (Two)	*Nominated by* Academic Council 1. From amongst members of Academic Council. 2. One - a Principal 3. One - a Teacher
13	**LIBRARY COMMITTEE {SECTION 75(1)}**	
	S.75(1)(a)(ii) - DEANS (Three)	*Nominated by* Vice-Chancellor :— 1. Having not less than 10 years of teaching experience. 2. Minimum 3 years experience as HOD 3. Shall possess Ph.D. 4. Published minimum 3 Research Papers in peer reviewed/referred National / International Research Journals. 5. Shall be a Ph.D. guide 6. Having worked for at least 5 times as Chairman/Paper Setter/ Moderator/Exam Co-ordinator at University level appointed by University.
	S.75(1)(a)(iii) - HEADS (Three)	*Nominated by* – Vice-Chancellor :— 1. Heads of University Institutions, Departments. 2. Qualification of Reader as prescribed by UGC from time to time. 3. Shall be an approved teacher possessing a Ph.D. degree and having minimum 10 years teaching experience of which 5 years at PG level. 4. Shall be a Ph.D. guide 5. Published minimum 3 Research Papers in peer reviewed / referred National / International Research Journals. 6. Having worked for atleast 5 times as Paper Setter/ Examiner/ Moderator / Chairman/ Co-ordinator of CAP at University exams. 7. Minimum 3 years experience as HOD if the teacher is from affiliated college.
	S.75(1)(a)(iv) - TEACHERS - Two	*Nominated by* - Academic Council 1. From amongst members of Academic Council
14	**FINANCE AND ACCOUNTS COMMITTEE {SECTION 75(2)}**	
	S.75(2)(iii) - PERSON (One)	*Nominated by* – State Govt. :— 1. Not below the rank of Deputy Secretary 2. Shall be a person who is an expert in financial matters.

Schedule II–concld.

(1)	(2)	(3)
	S.75(2)(v) - PERSONS (Three)	*Nominated by* Management Council from amongst its members.
	S.75(2)(vi) - PERSONS (Three)	*Nominated by* Academic Council 1. From amongst its members 2. Preferably a member having knowledge of financial matters.
15	**PURCHASE COMMITTEE (SECTION – 75(3))**	
	S.75(3)(b)(ii) - HEADS (Three)	*Nominated by* - Vice Chancellor :— 1. Heads of University, Institutions or Departments. 2. Qualification of Reader as prescribed by UGC from time to time. 3. Shall be an approved teacher possessing a Ph.D. degree and having minimum 10 years teaching experience of which 5 years at PG level. 4. Shall be a Ph.D. guide 5. Published minimum 3 Research Papers in peer reviewed / referred National / International Research Journals. 6. Having worked for atleast 5 times as Paper Setter/ Examiner/ Moderator / Chairman/ Co-ordinator of CAP at University exams 7. Minimum 3 years experience as HOD if the teacher is from affiliated college.
	S.75(3)(b)(iii)-MEMBERS (Two)	*Nominated by* Management Council from amongst themselves.

The Government is empowered to modify any of the eligibility conditions in Schedule I and II in consultation with the Chancellor.

By order and in the name of the Governor of Maharashtra,

J. S. SAHARIA,
Principal Secretary to Government.

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