

**LAW (LEGISLATIVE DRAFTING) DEPARTMENT
(GROUP-II)**

NOTIFICATION

Jaipur, May 18, 2017

No. F. 2(27) Vidhi/2/2017. – In pursuance of clause (3) of Article 348 of the constitution of India, the Governor is pleased to authorise the publication in the Rajasthan Gazette of the following translation in the English language of the Bikaner Takneekee Vishwavidyalaya Adhiniyam, 2017 (2017 ka Adhiniyam Shankhyank 29) :-

**(Authorised English Translation)
THE BIKANER TECHNICAL UNIVERSITY ACT, 2017
(Act No.29 of 2017)**

[Received the assent of the Governor on the 17th day of April, 2017]

An

Act

to establish and incorporate the Bikaner Technical University in the State of Rajasthan for the development of Technical Education.

Be it enacted by the Rajasthan State Legislature in the Sixty-eighth Year of the Republic of India, as follows:-

**CHAPTER I
Preliminary**

1. Short title, extent and commencement. – (1) This Act may be called the Bikaner Technical University Act, 2017.

(2) It shall extend to the whole of the State of Rajasthan.

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

2. Definitions.– In this Act, unless the subject or context otherwise requires, –

- (i) “Academic Council” means the Academic Council of the University as constituted under section 24;
- (ii) “affiliated college” means a college or institution which has been granted affiliation by the University;
- (iii) “AICTE” means All India Council for

- Technical Education, established under All India Council for Technical Education Act, 1987 (Central Act No. 52 of 1987);
- (iv) “authorities” means the authorities of the University as specified by or under this Act;
 - (v) “Board” means the Board of Management of the University as constituted under section 22;
 - (vi) “bodies” means the bodies of the University formed by the respective authorities;
 - (vii) “collaboration” means collaborative academic activity of the University with other universities, academic institutions (local, regional, national or international), research institutions and organizations (research, agriculture, industry, trade and commerce);
 - (viii) “constituent college” means a college or an institution which imparts technical education and is run and maintained by the University and includes a Faculty of the University;
 - (ix) “Dean” means head of a Faculty of the University;
 - (x) “Department” means a Department established, maintained and managed by the University;
 - (xi) “Director” means a head of an institution including a centre, or a school of the University as designated by the Board of Management;
 - (xii) “Faculty” means a Faculty of the University;
 - (xiii) “Government aided technical institution” means technical institution receiving grant-in-aid from the State Government;
 - (xiv) “institutions” means Government aided technical institutions and private unaided technical institutions;
 - (xv) “management” means the trustees or the managing or governing body, by whatever name called, of any trust registered under the Rajasthan Public Trusts Act, 1959 (Act No. 42 of 1959) or any society registered under the Rajasthan Societies Registration Act, 1958 (Act. No. 28 of 1958) under the management of which one or more colleges or recognized institutions or other institutions are conducted and admitted to the privileges of the

- University;
- (xvi) “Ordinances” means Ordinances of the University made under this Act;
- (xvii) “Principal” means the Chief Executive Officer of a college, a Government aided technical institution or a private unaided technical institution;
- (xviii) “private un-aided technical institution” means an institution set up by a private management with the prior approval of AICTE to conduct degree or diploma level courses of technical education and not receiving grant-in-aid from the State Government;
- (xix) “Regulations” means Regulations of the University made under this Act;
- (xx) “Statutes” means Statutes of the University made under this Act;
- (xxi) “teacher” means a person appointed or recognized by the University for the purpose of imparting instruction or conducting and guiding research and includes a person who may be declared by the Statutes to be a teacher;
- (xxii) “technical education” means programmes of education, research and training in Engineering, Technology, Architecture, Management, Town Planning, Computer Applications and Applied Arts and Crafts and such other programmes as the AICTE may, by notification in the Official Gazette, declare;
- (xxiii) “technical institutions” means institutions conducting programmes in the field of technical education;
- (xxiv) “University” means the Bikaner Technical University established under this Act;
- (xxv) “University Department” means a Department established and maintained by the University; and
- (xxvi) “University teacher” means a teacher appointed by the University.

CHAPTER II The University

3. Incorporation of the University.– (1) The Chancellor and the first Vice-Chancellor of the University and the first members of the Board and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, will constitute a body corporate by the name of “Bikaner Technical University” and shall have perpetual succession and a common seal and may by that name sue and be sued.

(2) The 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 prior approval of the State Government.

(3) The headquarters of the University shall be at Bikaner, which shall be the headquarters of the Vice-Chancellor.

4. The objects of the University.– Following shall be the objects of the University, namely:-

- (i) to disseminate, create and preserve the knowledge in the field of technical education for the advancement of mankind and understanding by the teaching, training, research, in general, and in particular:-
 - (a) to promote total quality and cost-effective management of engineering, technology, management and other technical institutions;
 - (b) to provide a network of technical education in the State to meet the demand of quality technical education and research;
 - (c) to create a system of management for technical education based on the scientific tools of decision making and information systems;
- (ii) to develop work culture and promote dignity of labor through applied components in the syllabi and to promote entrepreneurship among students so as to make technical education a valid means of job creation, rather than creating the job seekers;
- (iii) 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 facilities it provides for technical education;

- (iv) to generate and promote a sense of self-respect and dignity amongst the weaker sections of the society;
- (v) to strive to promote competitive merit and excellence as the sole guiding criterion in all academic and other matters relating to students;
- (vi) to extend its frontiers of academic excellence to rural, desert, tribal and backward areas;
- (vii) To set up centres of advanced technology in areas of high national relevance, with a view to fostering innovation and creativity.

5. Powers and duties of the University.- The University shall have the following powers and duties, namely:-

- (i) to make provision for research and for the advancement and dissemination of knowledge, and generally to cultivate and promote the technical education and other branches of learning and culture and their interdisciplinary areas;
- (ii) 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 Central Government or State Government and University Grants Commission or AICTE, which may be used by a university or college or group of universities or colleges or industries or any Non-Government Organization;
- (iii) to admit students to the various courses of study of the University and to conduct examinations or tests and lay down conditions in respect thereof;
- (iv) to institute and award degrees, post-graduate diplomas, post-senior secondary diplomas, certificates and other academic distinctions on the basis of examinations or by other tests or otherwise;
- (v) to hold examinations and confer degrees and post-graduate diplomas and award post-senior secondary diplomas and certificates and other academic distinctions to, and on, persons, who –
 - (a) have pursued a course of study in the University, constituent or affiliated college

- or institutions; or
- (b) have carried on research in the University, constituent or affiliated colleges or institutions;
- (vi) to confer honorary degrees or other academic distinctions as prescribed by the Statutes;
- (vii) to lay down the conditions of affiliation of courses or colleges and recognition of institutions taking into account the credibility of the Management and the norms of academic performance of institutions, 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;
- (viii) to designate a University Department, constituent college, affiliated college or institution, as an autonomous University Department, constituent college, affiliated college or institution, as the case may be, in accordance with the guidelines, if any, laid down by the University Grants Commission or AICTE;
- (ix) to monitor and evaluate the academic performance of affiliated colleges and recognized institutions for affiliation and periodical accreditation;
- (x) to inspect, where necessary, affiliated colleges and recognized 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, hospital, workshop and other academic facilities are provided for;
- (xi) 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;
- (xii) to co-operate or collaborate with any other University, institution, authority or organization for research and advisory services and for such purposes to enter into appropriate arrangement with other universities, institutions, authorities or organizations to conduct certain courses as the situation may demand;
- (xiii) to rescind affiliation granted to colleges;

- (xiv) to explore the possibilities of augmenting the resources of the University by exploring or innovating activities such as research and development, consultancy, training programmes and providing services for different clients from industry, trade or any other Non-Government Organizations;
- (xv) subject to any other law for the time being in force, to undertake academic collaboration programmes with universities and institutions abroad, with the approval of the State Government;
- (xvi) to receive funds for collaboration programmes from foreign agencies subject to any Act, rules and regulations of the Central Government and State Government in that behalf;
- (xvii) to lay down for 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 the interest of academic standard;
- (xviii) to undertake development programmes in technical education, research, consultancy-based projects and training programmes for outside agencies, by charging fees, so as to generate resources;
- (xix) to fix, demand and receive or recover such fees and other charges as may be regulated by the Statutes, from time to time;
- (xx) to establish, maintain and manage various Departments as may be necessary to fulfil the objects of the University;
- (xxi) 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; and
- (xxii) 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.

6. Jurisdiction.- (1) With respect to teaching and research in the field of technical education, the territorial jurisdiction of the University shall, notwithstanding anything contained in the Rajasthan Technical University Act, 2006 (Act No. 8 of 2006) or any other law for the time being in force, extend to all its constituent, affiliated or autonomous colleges and to such other colleges, institutes, institutions and departments within the State of Rajasthan as may be specified by notification in the Official Gazette by the State Government.

(2) The State Government may, by order in writing –

- (a) require any institute, institution or college to terminate, with effect from such date as may be specified in the order, its association with, or its admission to the privileges of any other university incorporated by law to such extent as may be considered necessary and proper, or
- (b) exclude, to such extent as may be considered necessary and proper, from association with, or from admission to the privileges of the University constituted by this Act any institute, institution or college specified in the order which, in the opinion of the State Government, is required to be self governing or to be associated with or admitted to the privileges of, any other University or body.

(3) The State Government may, in consultation with the University, by notification published in the Official Gazette, enumerate any Government college to be a constituent college of the University. The land, buildings, laboratories, equipments, books and any other properties of such college shall then vest in the University and the teachers, officers and other employees of such college, after being found suitable through screening and on fulfilling such terms and conditions as may be laid down in the notification, shall be deemed to be the officers, teachers or as the case may be, employees of the University.

7. University to be open to all classes and creeds.- The University shall be open to all persons irrespective of race, class, creed or sex:

Provided that the University may -

- (i) restrict the eligibility of admission to the courses of study of the University;
- (ii) make reservations in favour of the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, girl students and other categories in accordance with any law or orders of the State Government for the time being in force.

8. Visitation.- (1) The Chancellor shall have the right to cause an inspection, to be made by such person or persons, as he or she may direct—

- (a) of the University, its buildings, laboratories, libraries, museums, workshops and equipments; or
- (b) of any institution or hostel maintained by the University; or
- (c) of the teaching and other work conducted or done by the University; or
- (d) of the conduct of any examination held by the University.

(2) The Chancellor shall also have the right to cause an inquiry to be made by such person or persons as he or she may direct in respect of any matter connected with the University.

(3) The Chancellor shall, in every case, give notice to the University of his or her intention to cause an inspection or inquiry to be made and the University shall be entitled to be represented at such inspection or inquiry.

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

(5) The University shall, within the time limit so fixed, report to the Chancellor the action taken or proposed to be taken on the advice tendered by the Chancellor.

(6) If the University does not take action within the time limit so fixed, or if the action taken by the University is, in the opinion of the Chancellor, not satisfactory, the Chancellor may, after considering any explanation offered or representation made by the University, issue such direction as he or she may deem fit and the University shall comply with such direction.

(7) If the University does not comply with such direction issued as per sub-section (6) within such time as may be fixed in that behalf by the Chancellor, the Chancellor shall at his or her discretion have power to appoint any person or body to implement such direction and make such order as may be necessary for the expenses thereof.

CHAPTER III**Officers of the University**

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

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Pro-Vice-Chancellor;
- (iv) the Finance Officer;
- (v) the Registrar;
- (vi) the Controller of Examination;
- (vii) the Deans of the Faculties;
- (viii) the Estate Officer and Dean of the Students Welfare;
- (ix) such other officers as may be declared by the Statutes to be the Officers of the University.

10. The Chancellor.- (1) The Governor shall be the Chancellor of the University. He or she shall, by virtue of his or her office, be the Head of the University and shall when present, preside at the convocations thereof.

(2) Every proposal for the conferment of any honorary degree shall be subject to the confirmation by the Chancellor.

(3) It shall be the duty of the Vice-Chancellor to furnish such information or records relating to the administration of the affairs of the University, as the Chancellor may call for. The Chancellor shall have such other powers as may be conferred on him or her by this Act or the Statutes or the Ordinances made there under.

11. The Vice-Chancellor. - (1) The Vice-Chancellor shall be a whole time paid officer of the University.

(2) No person shall be eligible to be appointed as Vice-Chancellor unless he is a distinguished academician in the field of technical education having a minimum of ten years experience as Professor in a University or college or ten years experience in an equivalent position in a reputed research and/or academic administrative organization.

(3) The Vice-Chancellor shall be appointed by the Chancellor in consultation with the State Government from amongst the persons included in the panel recommended by the Search Committee consisting of —

- (a) one person nominated by the Board;
- (b) one person nominated by the Chairman, University Grants Commission;
- (c) one person nominated by the Chancellor; and
- (d) one person nominated by the State Government,

and the Chancellor shall appoint one of these persons to be the

Chairperson of the Committee.

(4) An eminent person in the sphere of higher education not connected with the University and its colleges shall only be eligible to be nominated as the member of the Search Committee.

(5) The Search Committee shall prepare and recommend a panel of not less than three persons and not more than five persons to be appointed as Vice-Chancellor.

(6) For the purpose of selection of the Vice-Chancellor, the Search Committee shall invite applications from eligible persons through a public notice and while considering the names of persons to be appointed as Vice-Chancellor, the Search Committee shall give proper weightage to academic excellence, exposure to the higher education system in the country, and adequate experience in academic and administrative governance and record its findings in writing and enclose the same with the panel to be submitted to the Chancellor.

(7) The term of the office of the Vice-Chancellor shall be three years from the date on which he or she enters upon his office or until he or she attains the age of seventy years, whichever is earlier: Provided that the same person shall be eligible for reappointment for a second term.

(8) The Vice-Chancellor shall receive such pay and allowances as may be determined by the State Government. In addition to it, he or she shall be entitled to free furnished residence maintained by the University and such other perquisites as may be prescribed.

(9) When a permanent vacancy in the office of the Vice-Chancellor occurs by reason of his death, resignation, removal or the expiry of his term of office, it shall be filled by the Chancellor in accordance with sub-section (3), and for so long as it is not so filled, stop-gap arrangement shall be made by him under and in accordance with sub-section (10).

(10) When a temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, suspension or otherwise or when a stop-gap arrangement is necessary under sub-section (9), the Registrar shall forthwith report the matter to the Chancellor, who shall make, on the advice of the State Government, arrangement for the carrying on of the function of the office of the Vice-Chancellor by any other Vice-Chancellor of a State University.

(11) The Vice-Chancellor may at any time relinquish office by submitting, not less than sixty days in advance of the date on which he or she wishes to be relieved, his resignation to the Chancellor.

(12) Such resignation shall take effect from the date determined by the Chancellor and conveyed to the Vice-

Chancellor.

(13) Where a person appointed as the Vice-Chancellor was in employment before such appointment in any other college, institution or University, he or she may continue to contribute to the provident fund of which he or she was a member in such employment and the University shall contribute to the account of such person in that provident fund.

(14) Where the Vice-Chancellor had been in his previous employment, a member of any insurance or pension scheme, the University shall make a necessary contribution to such scheme.

(15) The Vice-Chancellor shall be entitled to travelling and daily allowance at such rates as may be fixed by the Board.

(16) The Vice-Chancellor shall be entitled to leave as Under:-

(a) leave on full pay at the rate of one day for every eleven days of active service; and

(b) leave on half pay at the rate of twenty days for each completed year of service:

(17) Notwithstanding anything contained in sub-section (3), the first Vice-Chancellor of the University shall be appointed by the Chancellor after consultation with the State Government for a period not exceeding three years on such terms and conditions as the Chancellor may determine.

Provided that leave on half pay may be commuted as leave on full pay on production of medical certificate.

12. Powers and duties of the Vice-Chancellor.- (1) The Vice-Chancellor shall be the principal academic, administrative and executive officer of the University and shall, in the absence of the Chancellor, preside at the convocations of the University.

(2) The Vice-Chancellor shall be *ex-officio* Chairperson of the Board and Academic Council.

(3) The Vice-Chancellor shall be responsible for presenting to the Board for its deliberations and consideration matters of concern to the University. He or she shall have power to convene the meetings of the Board and the Academic Council.

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

(5) The Vice-Chancellor shall ensure the faithful observance of the provisions of this Act and the Statutes and the Ordinances and shall possess all such powers as may be necessary for the purpose.

(6) The Vice-Chancellor shall, where immediate action is called for, have power to make an order so as to exercise any

power or perform any function which is exercised or performed by any authority under this Act or the Statutes:

Provided that such action shall be reported to the authority as would have in the ordinary course dealt with the matter for approval:

Provided further that if the action so reported is not approved by such authority not being the Board, the matter shall be referred to the Board, whose decision shall be final and in case of the authority being the Board, the matter shall be referred to the Chancellor whose decision shall be final.

(7) The Vice-Chancellor may, on being satisfied that any action taken or order made by any authority is not in the interest of the University or beyond the powers of such authority, require the authority to review its action or order. In case the authority refuses or fails to review its action or order within sixty days of the date on which the Vice-Chancellor has so required, the matter may be referred to the Board or to the Chancellor, as the case may be, for final decision.

(8) Subject as aforesaid, the Vice-Chancellor shall give effect to the orders of the Board regarding the appointment, suspension and dismissal of teachers, officers and other employees of the University.

(9) The Vice-Chancellor shall be responsible for close coordination and integration of teaching, research and other work and shall exercise such other powers as may be prescribed by the Statutes or Ordinances.

13. The Pro-Vice-Chancellor.- (1) The Vice-Chancellor, if he or she considers necessary, may appoint a Pro-Vice-Chancellor from amongst the professors of the University.

(2) The Pro-Vice-Chancellor appointed under sub-section (1) shall discharge the duties in addition to his or her duties as a professor.

(3) The Pro-Vice-Chancellor shall hold office at the pleasure of the Vice-Chancellor.

(4) The Pro-Vice-Chancellor shall get an honorarium of rupees one thousand per month.

(5) The Pro-Vice-Chancellor shall assist the Vice-Chancellor in respect of such matters, as may be specified by the Vice-Chancellor in this behalf from time to time and shall preside over the meetings of the University in the absence of the Vice-Chancellor and shall exercise such powers and perform such duties as may be assigned or delegated to him or her by the Vice-Chancellor.

14. Registrar.- (1) The Registrar shall be the whole time officer of the University.

(2) The Registrar shall be the Chief Administrative Officer of the University. He or she shall work directly under the superintendence, direction and control of the Vice-Chancellor.

(3) Notwithstanding anything contained in this Act or any other law for the time being in force, the Registrar shall be appointed by the State Government on deputation from amongst the officers in the services of the State of Rajasthan.

(4) The Registrar shall be responsible for the custody of the records and the common seal of the University. He or she shall be *ex-officio* Secretary of the Board and Academic Council. He or she shall place before it all such information as may be necessary for the transaction of its business. He or she shall receive applications for entrance to the University and shall keep a permanent record of all syllabi, curricula and such other information as may be deemed necessary.

(5) The Registrar shall perform such other duties as may be prescribed by Statutes or Ordinances or required of him or her from time to time by the Vice-Chancellor.

15. Finance Officer.- (1) The Finance Officer shall be the whole time officer of the University.

(2) The Finance Officer shall be the principal finance, accounts and audit officer of the University. He or she shall work directly under the control of the Vice-Chancellor.

(3) Notwithstanding anything contained in this Act or any other law for the time being in force, the Finance Officer shall be appointed by the State Government on deputation from amongst the officers of the Rajasthan Accounts Service.

(4) The Finance Officer shall -

- (i) advise in regard to the financial policy of the University and be responsible for the preparation of its budget and for the presentation thereof to the Board through the Vice-Chancellor;
- (ii) manage the properties, movable, and immovable, and investments of the University;
- (iii) keep all moneys belonging to the University in a Scheduled Bank or in the Rajasthan State Co-operative Bank Limited, or Central Co-operative Bank except the amounts needed as imprest cash (to be prescribed by the Vice-Chancellor) in transacting business of the University;
- (iv) ensure that no expenditure not authorized in

- the budget is incurred by the University otherwise than by way of investment;
- (v) disallow any expenditure which may contravene the terms of any Statutes or for which provision is required to be made by the Statutes but has not been made; and
 - (vi) ensure the compliance of the provisions of section 45.

16. The Controller of Examination.- (1) The Controller of Examination shall be a whole time officer of the University.

(2) The Controller of Examination shall be appointed by the Vice-Chancellor in accordance with the provision of Ordinances made in this behalf with approval of the Board.

(3) The Controller of Examination shall be responsible for the due custody of the records pertaining to his or her work. He or she shall be *ex-officio* Secretary of the Examination Committee of the University and shall be bound to place before such committee all such information as may be necessary for the transaction of its business. He or she shall also perform such other duties as may be prescribed by the Regulations or as may be required, from time to time, by the Board or the Vice-Chancellor but he or she shall not, by virtue of this sub-section, be entitled to vote.

(4) Subject to the superintendence of the Vice-Chancellor, the Controller of Examination shall have administrative control of Examinations and over the employees working under him or her and have, in this regard, all the powers of the Registrar.

(5) Subject to the superintendence of the Examination Committee, the Controller of Examination shall conduct the examinations and make all other arrangements therefore and be responsible for the due execution of all processes connected therewith.

(6) The Controller of Examination shall not be offered nor shall he or she accept any remuneration for any work in the University except in accordance with an order of the State Government.

(7) Where the Controller of Examination is, for any reason, unable to act or the office of the Controller of Examination is vacant, all the duties of the office shall be performed by such person as may be appointed by the Vice-Chancellor, until the Controller of Examination resumes his or her duties or, as the case may be, the vacancy is filled.

17. Estate Officer and Dean of Students Welfare.- (1) The Board may appoint any one or more of the following officers, namely:-

- (i) The Estate Officer, and
- (ii) The Dean of Students Welfare.

(2) The Estate Officer shall be in charge of all the buildings, lawns, gardens and other immovable property of the University.

(3) The Dean of Students Welfare shall have the following duties, namely:-

- (a) to make arrangements of the housing of students;
- (b) to direct a programme of students counseling;
- (c) to arrange for employment of students in accordance with plans approved by the Vice-Chancellor;
- (d) to supervise the extra-curricular activities of the students;
- (e) to assist in the placement of the graduates of the University; and
- (f) to organize and maintain contact with the alumni of the University.

18. Deans of Faculties and their functions.- (1) There shall be a Dean of each Faculty.

(2) The Deans of Faculties shall be appointed by the Vice-Chancellor in such manner as may be prescribed by the Statutes.

(3) The Deans shall perform such functions as may be prescribed by the Statutes.

19. Other officers and employees.- The mode of appointment and the functions of other officers mentioned in clause (ix) of section 9 and of the employees of the University shall be such as provided in this Act or as prescribed by Statutes, Ordinances and Regulations.

20. Remuneration of officers and employees.- No officer or employee of the University shall be offered nor shall he or she accept any remuneration for any work in the University save as may be provided for in the Statutes.

CHAPTER IV

Authorities of the University

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

- (i) the Board of Management;
- (ii) the Academic Council;
- (iii) the Finance Committee;
- (iv) the Examination Committee;
- (v) the Faculties;
- (vi) the Boards of Studies; and

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

22. Constitution and composition of the Board of Management.- (1) The Board shall be the highest executive body of the University and shall consist of the following as members, namely:-

(a) Chairperson:-

the Vice-Chancellor of the University;

(b) Ex-officio Members:-

- (i) the Secretary to the Government in-charge of Finance Department;
- (ii) the Secretary to the Government in-charge of Technical Education Department;
- (iii) the Director of Technical Education, Government of Rajasthan; and
- (iv) the Registrar of the University, Member-Secretary.

Explanation .-

(I) For the purpose of this clause, expression “the Secretary to the Government in- charge” means the Secretary to the Government in-charge of the Department and includes an Additional Chief Secretary and Principal Secretary when he or she is in-charge of a Department.

(II) *Ex-officio* members mentioned at (i) and (ii) shall include their respective nominees who shall not be below the rank of Deputy Secretary to the Government;

(c) Nominated Members:-

- (i) two persons nominated by the Vice-Chancellor from amongst the Deans for one year;
- (ii) two University Professors nominated by the Vice-Chancellor for one year;
- (iii) two eminent educationists to be nominated by the Chancellor for three years;

- (iv) two Principals of affiliated colleges, one from the Government Colleges and another from Private Colleges, to be nominated by the State Government for one year;
- (v) two members of State Legislature to be nominated by the Speaker of Rajasthan Legislative Assembly for three years; and
- (vi) two eminent educationists, to be nominated by the State Government for three years; and

(d) Elected Members:-

two teachers of the University or its constituent colleges who have put in not less than seven years teaching experience in any institution of higher technical education in Rajasthan on 1st January immediately preceding the year in which elections are held, other than University Professors, Deans, Directors of the constituent colleges, to be elected by the teachers of the University and its constituent colleges from amongst themselves for three years.

(2) One third of the members of the Board shall constitute the quorum for a meeting.

(3) The Chairperson of the Board shall perform such functions and exercise such powers as are provided in this Act or as may be prescribed by the Statutes.

(4) The members shall serve without any additional pay but shall be entitled to daily allowance and travelling expenses as may be prescribed by the Statutes.

(5) The minutes of meetings of the Board shall be recorded and maintained by the Member-Secretary of the Board.

23. Duties and functions of the Board.- Subject to other provisions of this Act, the duties and functions of the Board shall be as follows:-

- (a) to approve and sanction the budget of the University;
- (b) to acquire, to dispose of, to hold and to control the property and funds of the University and issue any general or special direction on behalf of the University;
- (c) to accept the transfer of any movable or immovable property on behalf of the University;

- (d) to administer any funds placed at the disposal of the University for the specific purposes;
- (e) to invest money belonging to the University;
- (f) to appoint the members of the academic, administrative and other staff of the University in such manner as may be prescribed by the Statutes;
- (g) to direct the form and use of the common seal of the University;
- (h) to appoint such committees, either standing or temporary, as it deems necessary for its proper functioning;
- (i) to borrow money for capital improvements and make suitable arrangements for its repayment;
- (j) to meet at such times and as often as it deems necessary, provided however, that the regular meeting of the Board shall be held at least once in every three months;
- (k) to make Statutes, Ordinances and Regulations in the manner specified in this Act for smooth functioning of the University; and
- (l) to regulate and determine all matters concerning the University in accordance with this Act and the Statutes and to exercise such powers and to discharge such duties as may be conferred or imposed on it by this Act and the Statutes.

24. Academic Council.- (1) There shall be an Academic Council of the University, consisting of the following as members, namely:-

- (i) the Vice-Chancellor-*ex-officio* Chairperson;
- (ii) the Deans of Faculties;
- (iii) one Professor from each Faculty to be nominated by the Vice-Chancellor;
- (iv) one Principal/ Director of a constituent college to be nominated by the Vice-Chancellor;
- (v) the Secretary to the Government in-charge of Technical Education Department;
- (vi) the Director, Technical Education;
- (vii) the Chairpersons of Boards of Studies;
- (viii) two Principals of affiliated Colleges, one from Government Colleges and another

- from Private Colleges, to be nominated by the State Government;
- (ix) two persons having special attainment in the field of the studies not being employees of the University, one to be nominated by the Chancellor and the other by the State Government;
 - (x) one teacher other than the Professors, from a constituent college or University Department having a minimum ten years experience in teaching degree or post-graduate classes to be nominated by the Vice-Chancellor;
 - (xi) one teacher other than the Principals, from an affiliated college having a minimum ten years experience in teaching degree or post-graduate classes to be nominated by the State Government; and
 - (xii) the Registrar of the University, Member-Secretary.

Explanation.- For the purpose of clause (v) of this sub-section expression “the Secretary to the Government in-charge” means the Secretary to the Government in-charge of the Department and includes an Additional Chief Secretary and Principal Secretary when he or she is in-charge of a Department.

(2) The term of office of nominated members shall be two years.

(3) One third of the members of the Academic Council shall constitute the quorum for a meeting.

25. The Finance Committee.- (1) The Finance Committee shall consist of—

- (i) the Vice-Chancellor- Chairperson;
- (ii) the Secretary to the Government in-charge of Technical Education Department;
- (iii) the Secretary to the Government in-charge of Finance Department;
- (iv) the Pro-Vice-Chancellor, if any;
- (v) the Registrar of the University;
- (vi) the Controller of Examination; and

- (vii) the Finance Officer, who shall also be the Secretary of the Committee.

Explanation.- For the purpose of clauses (ii) and (iii) of this sub-section expression “the Secretary to the Government in-charge” means the Secretary to the Government in-charge of the Department and includes an Additional Chief Secretary and Principal Secretary when he or she is in-charge of a Department.

(2) A member referred to in clause (ii) or clause (iii) of sub-section (1) may, instead of attending any meeting of the Finance Committee himself, nominate an officer not below the rank of a Deputy Secretary to the Government, to act on his behalf.

(3) The Finance Committee shall advise the Board on matters relating to the administration of property and funds of the University. It shall, having regard to the income and resource of the University, fix limits for the total recurring and non-recurring expenditure for the ensuing financial year and may, for any special reasons, revise during the financial year the limits of expenditure so fixed and the limits fixed shall be binding on the Board.

(4) The Finance Committee shall have such other powers and duties as may be conferred or imposed on it by this Act or the Statutes.

26. Composition and functions of Faculties.- (1) There shall be such Faculties in the University as may be prescribed by the Statutes.

- (2) Each Faculty shall consist of the following:-
- (i) the Dean of the Faculty – Chairperson;
 - (ii) the University Professors of the subjects assigned to the Faculty;
 - (iii) the Chairpersons of the Boards of Studies in the Faculty;
 - (iv) one Post-graduate College Principal and one Post-graduate Department Head in each subject of the Faculty from affiliated colleges, nominated by the State Government; and
 - (v) two external experts nominated by the Academic Council.

(3) Faculty shall perform such functions as may be prescribed by the Statutes.

27. Examination Committee.- (1) There shall be an Examination Committee in the University, the constitution of which shall be as may be provided for in the Ordinances.

(2) The Committee shall supervise generally all the examinations of the University, including moderation and tabulation, and perform the following other functions, namely:-

- (i) to appoint examiners and moderators and, if necessary, to remove them;
- (ii) to review from time to time the result of the University examinations and submission of report thereon to the Academic Council;
- (iii) to make recommendations to the Academic Council for the improvement of the examination system;
- (iv) to scrutinize the list of examiners proposed by the Board of Studies, finalize the same and declare the results of the University.

(3) The Examination Committee may appoint such number of sub-committees as it thinks fit, and in particular may delegate to any one or more persons or sub-committees the power to deal with and decide cases relating to the use of unfair means by the examinees.

(4) Notwithstanding anything contained in this Act, it shall be lawful for an Examination Committee or, as the case may be, for a sub-committee or any person to whom the Examination Committee has delegated its power in this behalf under sub-section (3) to debar an examinee from future examinations of the University, if in its or his opinion, such examinee is guilty of using unfair means at any such examination.

28. Teaching of the University.- (1) All teaching recognized by the University shall be conducted in the University Departments or in colleges or institutions.

(2) The authorities responsible for organizing such teaching shall be such as may be prescribed by the Ordinances.

(3) The courses of study and curricula shall be such as may be prescribed by Ordinances and, subject thereto, by the Regulations.

29. Supplementary provisions relating to membership.-

(1) All casual vacancies among the members (other than *ex-officio* members) of any authority or body of the University shall be filled as soon as possible by appointment, nomination or election

according as the member whose place became vacant was appointed, nominated or elected and the person appointed, nominated or elected to a casual vacancy shall be a member of such authority or body for the residuary period of the term for which the person whose place he or she fills would have continued but for the vacancy.

(2) A person who holds any office in the University by virtue of his holding any other office of the University or otherwise shall hold such office as long as he or she holds the other office and thereafter till his successor is duly nominated, appointed or elected.

(3) The Board may remove any person not being an officer of the University from membership of any authority or body or any employee of the University on the ground that such person or employee has been convicted of an offence involving moral turpitude or for taking part in subversive activities or for indulging in any act or acts unbecoming the prestige of the University:

Provided that no such person or employee shall be removed under this sub-section unless he or she has been afforded a reasonable opportunity by the Board, to show cause as to why he should not be so removed and such cause has been considered:

Provided further that prior approval of the State Government will be necessary for taking such action against a member of any authority or body of the University, nominated by the State Government.

(4) If any question arises regarding any person who has been appointed, nominated or elected, as or is entitled to be, a member of any authority of the University subordinate to the Board or regarding any decision of the Board under this Act and the Statutes, the matter shall be referred to the Chancellor for his or her decision, and the decision of the Chancellor thereon shall be final.

30. Proceedings of University authorities and bodies not to be invalidated by reason of any vacancy.— No act or proceeding of any authority or body of the University shall be invalidated by reason of the existence of a vacancy among its members or by reason of some person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

31. Age of retirement.- Subject to any provision in the Statutes to the contrary or any directions or policy of the State Government in this regard all the employees of the University shall ordinarily retire from service upon attaining the age of sixty years.

32. Pension Scheme.- The University shall adopt for the benefit of its teachers, officers and other employees of the University, the “New Pension Scheme-2004” of the State Government and it shall be mandatory for all the teachers, officers and employees of the University to opt for the said Scheme.

33. Teachers and Officers of the University.- (1) Save as otherwise provided in this Act, the appointment of teachers and officers of the University shall be made in accordance with the provisions of the Rajasthan Universities’ Teachers and Officers (Selection for Appointment) Act, 1974 (Act No. 18 of 1974).

(2) Except in cases provided for by the Statutes, teachers and officers of the University shall be appointed under a written contract. The contract shall be furnished to the teacher or officer concerned. The contract shall not be inconsistent with the provisions of this Act and the Statutes for the time being in force in relation to the conditions of service.

34. University Fund.- (1) The University shall establish, maintain and administer a fund to be called the University Fund.

(2) The following moneys shall form part of, and be paid into, the University Fund, namely:-

- (i) any contribution or grant by the State Government;
- (ii) income arising to the University from all sources including income from fees and charges;
- (iii) trusts, bequests, donations, endowments and other grants, if any; and
- (iv) such other moneys as may be prescribed by the Statutes.

(3) The matters to which the University Fund may be applied and appropriated shall be those prescribed by this Act or the Statutes.

(4) All expenses incurred under and in pursuance of any provision contained in this Act shall be met out of the University Fund.

(5) The University shall have power to borrow, on the security of the University properties and with the concurrence of the State Government, money for the purposes of the University.

35. Control of the State Government.- Where the State Government funds are involved, the University shall abide by the terms and conditions attached to the sanction of such funds which may *inter alia* include prior permission of the State Government in respect of the following, namely:-

- (i) creating of the new posts of teachers, officers or other employees;
- (ii) revision of the pay, allowances, post-retirement benefits and other benefits to its teachers, officers and other employees;
- (iii) grant of any additional or 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;
- (iv) diversion of any earmarked funds other than the purpose for which it was received;
- (v) transfer by sale, lease, mortgage or otherwise of immovable property;
- (vi) incur expenditure on any development work from the funds received from the State Government for any purposes other than for which the funds are received; and
- (vii) taking of any decision regarding affiliated colleges resulting in increase of financial liability, direct or indirect, on the State Government.

Explanation.- The above conditions shall also apply in respect of the posts created from any other fund, which may in long term likely to cause financial implications to the State Government.

36. Assumption of financial control by the State Government as emergency measure.- (1) The State Government shall have the right to cause an inquiry to be made, by such person or persons as it may direct, and to issue directions to the University, in respect of any matter connected with the finances of the University, where State Government funds are concerned.

(2) If the State Government is satisfied that owing to mal-administration or financial mismanagement in the University a situation has arisen whereby financial stability of the University has become insecure, it may, by a notification, declare that the finances of the University shall be subject to the control of the

State Government and shall issue such other directions as it may deem fit for the purpose and the same shall be binding on the University.

37. Statutes.- Subject to the provisions of this Act, the Statutes may provide for any matter and shall in particular provide for the following:-

- (i) the constitution, powers and duties of the authorities of the University;
- (ii) the appointment, nomination or election and continuance in office of the members of the authorities of the University and all other matters relating to these authorities for which it may be necessary or desirable to provide;
- (iii) the designation, manner of appointment, powers, duties and service conditions of the officers of the University;
- (iv) the classification and manner of appointment of teachers and their service conditions and qualifications;
- (v) the adoption of the “New Pension Scheme-2004” of the State Government for the benefit of teachers, officers and other employees of the University;
- (vi) the conferment of honorary degrees;
- (vii) the establishment, amalgamation, sub-division and abolition of Departments;
- (viii) the establishment and abolition of hostels maintained by the University;
- (ix) the moneys to form part of and to be paid into the University Fund and the matters to which the Fund may be applied and appropriated;
- (x) the number and emoluments of teachers of the University and the preparation and maintenance of a record of their services and activities;
- (xi) the remuneration and allowances, including travelling and daily allowances to be paid to persons employed in the business of the University; and
- (xii) all other matters which by this Act are required to be or may be provided for or prescribed

otherwise than by the Ordinances or the Regulations.

38. Statutes how made.- (1) The Statutes may be made, amended or repealed by the Board in the manner hereinafter provided.

(2) The Board may take into consideration the draft of a Statute either at its own motion or on a proposal by any authority of the University.

(3) The Board, 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.

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

(5) No Statutes passed by the Board shall be valid or shall come into force until they are 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 or her and if the Board fails to implement such a direction within sixty days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the Board for its inability to comply with such direction, make or amend the Statutes suitably.

39. Ordinances.- Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:-

- (i) the courses of study, admission or enrolment of students, fee, qualifications or conditions requisite for any degree, diploma, certificate or fellowship;
- (ii) the conduct of examinations including the appointments of examiners and their terms and conditions;
- (iii) the conditions for residing in any hostel or other place of residence run or maintained by the University, the levying of charges therefore and other related matters;
- (iv) the recognition and supervision of hostels not run or maintained by the University; and

- (v) any other matter required by this Act or the Statutes to be dealt by or under the Ordinance of the University.

40. Ordinances how made.- (1) The Board may make, amend or repeal Ordinances in the manner hereinafter provided.

(2) No Ordinances concerning the academic matters shall be made by the Board unless a draft thereof has been proposed by the Academic Council.

(3) The Board 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 Board may suggest.

(4) All Ordinances made by the Board 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 Board within four weeks of the receipt of the Ordinance to suspend its operation, and he or she shall, as soon as possible, inform the Board of his or her objection to it. He or she may, after receiving the comments of the Board, either withdraw the order suspending the Ordinance or disallow the Ordinance, and his or her decision shall be final.

41. Regulations.- (1) Every authority of the University may make Regulations consistent with this Act and the Statutes and Ordinances –

- (i) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;
- (ii) providing for all matters which by this Act and the Statutes or Ordinances are to be provided for by that authority by the Regulations; and
- (iii) providing for any other matter solely concerning such authority and not provided for by this Act and the Statutes or Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be transacted thereat and for the keeping of a record of the proceeding of meetings.

(3) The Board may direct amendment, in such manner as it may specify, of any Regulations made under this section or the amendment thereof by any authority of the University.

42. Residence of Students.- The students shall reside in accommodation provided by the University or approved by the Vice-Chancellor subject to the conditions prescribed by the Ordinances.

43. Delegation of Powers.- The Board may by Statutes delegate to any officer or authority any of the powers conferred upon it by this Act, to be exercised subject to such restrictions and conditions as may be prescribed in the Statutes.

44. Annual Report.- The annual report of the University shall be prepared under the direction of the Vice-Chancellor and circulated among the members of the Board one month before the annual meeting of the Board at which it is to be considered. The annual report, as approved by the Board, shall be sent to the State Government for being laid on the table of the House of the State Legislature.

45. Accounts and audit.- (1) The annual accounts and balance sheet of the University shall be prepared by the Finance Officer under the direction of the Vice-Chancellor and all moneys accrued to or received by the University from whatever source and all amount disbursed or paid shall be entered in the accounts.

(2) The Finance Officer shall, before such date as may be prescribed by the Statutes, prepare the budget of the University for the ensuing year.

(3) The annual accounts and the budget of the University prepared by the Finance Officer shall be placed before the Board together with the remarks of the Finance Committee for approval and the Board may pass resolution with reference thereto and communicate the same to the Finance Officer who shall take action in accordance therewith.

(4) The annual accounts shall be audited in the prescribed manner by such auditors as the State Government may direct and the cost of such audit shall be a charge on the University fund.

(5) The accounts when audited shall be printed and copies thereof, together with the audit report, shall be submitted by the Vice-Chancellor to the Board which shall forward them to the State Government with such comments as may be deemed necessary.

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

46. Temporary arrangements.- (1) At any time after the commencement of this Act and until such time as the authorities of the University are duly constituted, any officer of the University may be appointed by the Vice-Chancellor with the prior approval of the Chancellor to carry on the duties of any such Authority.

(2) The Vice-Chancellor may make temporary appointments, subject to the approval of the Board at its next meeting, following the making of such appointments.

47. Reference to government officers to be construed in case of change of designation as reference to corresponding officers.- Where any provision of this Act or of the Statutes, Ordinances or Regulations refer to an officer of the State Government by designation, then, if that designation is altered or that office ceases to exist, the reference shall be construed as a reference to the altered designation, or as the case may be, to such corresponding office as the State Government may direct.

48. Residuary provisions.- The Board shall have the authority to deal with any matter pertaining to the University and not specifically dealt with in this Act. The decision of the Board on all such matters shall, subject to revision by the Chancellor, be final.

49. Removal of difficulties.- (1) The State Government may, for the purpose of removing any difficulties, in the areas and in the matters covered by this Act, by order published in the Official Gazette, –

- (i) direct that this Act shall during such period, as may be specified in the order take effect subject to such adaptations whether by way of modification, addition or omission consistent with this Act as it may deem fit to be necessary or expedient, or
- (ii) give such directions as appear to it to be necessary for the removal of such difficulties that may arise in giving effect to the provisions of this Act, or
- (iii) make such other temporary provisions for the purpose of removing any such difficulties as it may deem fit to be necessary or expedient:

Provided that no such order shall be made after twelve months from the date of the commencement of this Act.

(2) All orders made under sub-section (1) shall be laid before the House of the State Legislature for fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which they are so laid or of the session immediately following, the House of the State Legislature makes any modification in any of such orders or resolves that any such order should not be made, such order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

(3) If any question arises regarding the interpretation of any provisions of this Act or any Statutes or Ordinances or Regulations made under this Act, or as to whether any person has been duly appointed as or is entitled to be a member of any authority or other body of the University, the matter may be referred to the Chancellor and shall be so referred if the Vice-Chancellor and any ten members of the Board so require. The Chancellor shall, after taking such advice from the State Government as he or she deems necessary, decide the question and his or her decision shall be final.

मनोज कुमार व्यास,
Principal Secretary to the Government.