

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

NOTIFICATION

Jaipur, September 5, 2023

No. F. 2(29)Vidhi/2/2023.- 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 Marwar Chikitsha Vishwavidyalaya Adhiniyam, 2023 (2023 Ka Adhiniyam Sankhyank 25):-

**(Authorised English Translation)
THE MARWAR MEDICAL UNIVERSITY ACT, 2023
(Act No. 25 of 2023)**

(Received the assent of the Governor on the 2nd day of September, 2023)

An

Act

to establish and incorporate the Marwar Medical University at Jodhpur in the State of Rajasthan.

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

CHAPTER-I

Preliminary

1. Short title, extent and commencement.- (1) This Act may be called the Marwar Medical University Act, 2023.

(2) It extends to the whole of the State of Rajasthan.

(3) It shall come into force at once.

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

(a) "Academic Council" means the Academic Council of the University as constituted under section 25;

(b) "affiliated college" means an educational institution admitted to the privileges of the University;

(c) "Board" means the Board of Management of the University constituted under section 23;

(d) "constituent college" means a college maintained by the University;

(e) "Faculty" means a Faculty of the University;

- (f) “prescribed” means prescribed by the Statutes;
- (g) “Principal” means the Chief Executive Officer of a college or any person duly appointed to act as such;
- (h) “resident” means a student of post-graduate diploma, or post-graduate or super-specialty courses of the Medical Colleges;
- (i) “Statutes”, “Ordinances” and “Regulations” means, respectively, the Statutes, Ordinances and Regulation of the University made under this Act;
- (j) “student of the University” means a person enrolled in the University for taking a course of study for a degree, diploma or other academic distinction duly instituted;
- (k) “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;
- (l) “University” means the Marwar Medical University, established and incorporated under this Act;
- (m) “University Department” means a Department maintained by the University.

CHAPTR-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 “The Marwar Medical 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 Jodhpur, which shall be the headquarters of the Vice-Chancellor.

4. Objects of the University.- The following shall be objects of the University, namely:-

- (a) to disseminate recent advances and knowledge, promote research and development in field of medical and health sciences;
- (b) to act as resource centre for health planning, health management, hospital management, health policy, bio-medical engineering, health financing, biostatistics, health disaster and epidemic management and mitigation;
- (c) to help prevention, promotion and management of various health ailments at individual and community level;
- (d) to provide a platform, establish, develop and nurture medical and health institutions including multi-specialty hospitals, referral health centres, health centres, health care facilities at primary, secondary and tertiary health care system and upgrading existing institutions as centre of excellence;
- (e) to treat, manage, rehabilitate patients in health care facilities and develop standard protocol for the prevention, control, treatment, management and rehabilitation of the patients;
- (f) to establish and promote development of institutions in nursing, paramedical, physiotherapy, pharmacy and other allied health subjects;
- (g) to establish, develop and manage health care facilities including research institutions laboratories, diagnostic centres and rehabilitation and occupational therapy centres;
- (h) to establish and promote e-health including Integrated Health Management and Information System, (IHMS), telemedical and e-learning and distant education and management of teaching institutions;
- (i) to establish and promote use of robotics, modern sophisticated techniques in prevention, control, treatment and rehabilitation of patients;
- (j) to establish centre of excellence in bio-medical research, medical education and health technology , epidemiology and public health.
- (k) to establish and develop centres and institutions for public health engineering, environmental sciences, food and nutrition;
- (l) to establish and develop institutions for genetic research, molecular biology, nuclear medicine, transfusion medicine, haematology and immunology, organ transplantation, robotic surgery, bio-information and other fields in medicine and dentistry;
- (m) to establish and promote centres for reproductive and child health, population control and medical-social sciences; and
- (n) to establish a centre for imparting training to teachers in all health and allied health subject.

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

- (a) to institute teaching, training and research in such branches of medicine, health and dentistry as the University may think fit, and to make provisions for evidence and research based up-dation, conducting research and dissemination of such knowledge;
- (b) to institute and award degrees, diplomas, certificates, fellowships and other academic distinctions;
- (c) to admit, register and enrol students to the course of studies of the University and conduct examinations or test and lay down conditions and protocols in respect thereof;
- (d) to hold examinations for and to grant and confer degrees, diplomas, certificate courses and other academic distinctions to and on persons, who-
 - (i) have pursued a course of study in the University, constituent or affiliated

- colleges; or
- (ii) have carried on research in the University, constituent or affiliated colleges;
 - (e) to confer honorary degree or other academic directions in the manner and under conditions laid down in the statutes;
 - (f) to grant such diplomas, to provide such lectures and instruction for, persons, not being students of the University, as the University may determine;
 - (g) to cooperate or collaborate with other Universities and authorities in such a manner and for such purposes, as the University may determine;
 - (h) to institute and award scholarship, fellowship (including travelling fellowship), studentship, stipend, medals and prizes in accordance with the statutes and ordinances;
 - (i) to recognize for the purposes of admission to a course of study for a degree or diploma, as equivalent to its own degree, any degree or diploma conferred by any other University;
 - (j) to establish, maintain, develop and administer institutes of research, hospitals, laboratories, libraries, or other facilities necessary to carry out the objects of the University;
 - (k) to establish, maintain, develop and administer hostels and residential places of students and teachers;
 - (l) to fix and collect fees and other charges in accordance with the Ordinances;
 - (m) to supervise and control the residents and to regulate the disciplines of the students of the University and to make arrangements for the promotion of their health;
 - (n) to create teaching, administrative, ministerial and other administrative posts required by the University and to make appointments thereto;
 - (o) to undertake publication work, research and merit;
 - (p) to provide management, treatment and rehabilitation services to the patients in its hospitals;
 - (q) to recognize and decide course curriculum, protocols, examination pattern, resources required in terms of manpower, equipments and infrastructure of any course of study for degree, diploma, certificate course, fellowship and other academic distinctions;
 - (r) to provide affiliation and charge fee from the institutions granting course of study for degree, diploma, certificate course, fellowship and other academic institutions; and
 - (s) to do all such acts and things whether incidental to the powers aforesaid or not, as may be required in order to further the objects of the University.

6. Jurisdiction.- (1) Notwithstanding anything contained in the Rajasthan University of Health Sciences Act, 2005 (Act No. 1 of 2005) or any other law for the time being in force, the territorial jurisdiction of the University shall extend to the Medical, Dental, Pharmacy and Nursing Colleges, imparting education in these disciplines and any other disciplines of health sciences and also to 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 within the territorial limits of the University 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 situated in the jurisdiction of the University 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 officers, teachers and 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,-

- (a) restrict the eligibility of admission to the courses of study of the University,
- (b) make reservations in favor of the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, girl students and other categories in accordance with any law or order 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 equipment ; or
- (b) of any college, institute, 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 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:-

- (a) the Chancellor;
- (b) the Vice-Chancellor;
- (c) the Pro Vice-Chancellor;
- (d) the Registrar;
- (e) the Finance Officer;
- (f) the Contoller of Examintions;
- (g) the Deans of the Faculties;
- (h) the Dean of the Students Welfare;
- (i) the Estate Offcer; and
- (j) such others as may be declared by the Statutes to be officers of the University.

10. The Chancellor.- (1) The Governor shall be the Chancellor of the University. He shall, by virtue of his office, be the Head of the University and shall, where 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.

(4) The Chancellor shall have such other powers as may be conferred on him by this Act or the Statutes or the Ordinances made thereunder.

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 or she is, a distinguished academician in the field of Medical Education having a minimum of ten years experience as Professor in a recognized Medical College or Institute or University established by law or ten years experience in an equivalent position in a reputed research and/or academic administrative organization in the field of Medical Sciences and, of highest level of competence, integrity, morals and institutional commitment.

(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) Director General, Indian Council of Medical Research or his nominee;
- (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 Chairman of the Committee.

(4) An eminent person in the sphere of Medical 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 Medical 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 five years from the date on which he or she enters upon his or her 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 or her death, resignation, removal or the expiry of his or her 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 or her 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 or her 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 or her 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:

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

12. Removal of Vice-Chancellor.- (1) Notwithstanding anything contained in this Act, if at any time, on the report of the State Government or otherwise, in the opinion of Chancellor, the Vice-Chancellor wilfully omits or refuses to carry out the provisions of this Act or abuses the powers vested in him or if otherwise appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interest of the University,

the Chancellor may, in consultation with the State Government, after making such inquiry as he deems proper, by order, remove the Vice-Chancellor:

Provided that the Chancellor may, in consultation with the State Government, at any time before making such order, place the Vice-Chancellor under suspension, pending inquiry:

Provided further that no order shall be made by the Chancellor unless the Vice-Chancellor has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

(2) During the pendency, or in contemplation, of any inquiry referred to in sub-section (1) the Chancellor may, in consultation with the State Government, order that till further order –

- (a) such Vice-Chancellor shall refrain from performing the functions of the office of the Vice-Chancellor, but shall continue to get the emoluments to which he was otherwise entitled;
- (b) the functions of the office of the Vice-Chancellor shall be performed by the person specified in the order.

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

(2) The Vice-Chancellor shall be *ex-officio* Chairman 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 shall have power to convene the meetings of the Board and the Academic Council.

(4) The Vice-Chancellor shall exercise general 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) In an emergency, which in the opinion of the Vice-Chancellor requires immediate action to be taken, he shall take such action as he deems necessary and shall at the earliest opportunity report the action taken to the officer, authority or other body who or which in the ordinary course would have dealt with the matter.

(7) Where any action taken by the Vice-Chancellor under sub-section (6) affects any person in the service of the University to his disadvantage, such person may prefer an

appeal to the Board within thirty days from the date on which the action is communicated to him.

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

14. The Pro Vice-Chancellor.- (1) The Vice-Chancellor, if he considers necessary, may appoint a Pro Vice-Chancellor form amongst the professors of the University.

(2) The Pro Vice-Chancellor appointed under sub-section (1) shall discharge the duties in addition to his 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 by the Vice- chancellor.

15. Registrar.- (1) The Registrar shall be the whole time officer and shall be the Chief Administrative Officer of the University. He shall work directly under the superintendence, direction and control of the Vice-Chancellor.

(2) 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.

(3) The Registrar shall be responsible for the custody of the records and the common seal of the University. He shall be *ex-officio* secretary of the Board and Academic Council. He shall place before it all such information as may be necessary for the transaction of its business. He 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.

(4) The Registrar shall perform such other duties as may be prescribed or required

of him from time to time by the Vice-Chancellor.

16. Finance Officer.- (1) The Finance Officer shall be the principal finance, accounts and audit officer of the University. He shall work directly under the control of the Vice-Chancellor.

(2) 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.

(3) The Finance Officer shall-

(a) 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;

(b) manage the properties, movable and immovable and investment of the University;

(c) keep all moneys belonging to the University in a Scheduled Bank or in the Rajasthan State Co-operative Bank Ltd. or Central Co-operative Bank except the amounts needed as imprest cash (to be specified by the Vice-chancellor) in transacting business of the University;

(d) ensure that no expenditure not authorized in the budget is incurred by the University otherwise than by way of investment;

(e) disallow any expenditure which may contravene the terms of any Statute or for which provision is required to be made by a Statute but has not been made; and

(f) ensure the compliance of the provisions of section 36.

17. The Controller of Examinations.- (1) The Controller of Examinations 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 the 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 work. He shall be *ex-officio* secretary of the Examinations 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 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 shall not by virtue of this sub-section, be

entitled to vote.

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

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

(6) The Controller of Examinations shall neither be offered nor accept any remuneration for any work in the University except in accordance with an order of the State Government.

(7) Where the Controller of Examinations is, for any reason, unable to act or the office of the Controller of Examinations 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 examinations resumes his duties or, as the case may be, the vacancy is filled.

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.

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

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

(a) the Estate Officer, and

(b) 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 counselling;

(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.

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

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

CHAPTER-IV

Authorities of the University

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

- (a) the Board of Management;
- (b) the Academic Council;
- (c) the Finance Committee;
- (d) the Examination Committee;
- (e) the Faculties;
- (f) Board of Studies;
- (g) such other authorities as may be declared by the Statutes to be authorities of the University.

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

(I) Chairman- the Vice-Chancellor of the University

(II) Ex-Officio Member-

- (a) the Secretary to the Government in-charge of the Department Finance;
- (b) the Secretary to the Government in-charge of the Department of Medical Education;
- (c) the Director of Medical Education, Government of Rajasthan;
- (d) the Registrar of the University-Member-Secretary;

Explanation-I.- Ex-officio members mentioned at (a) to (b) shall include their respective nominees who shall not be below the rank of Deputy

Secretary to the Government of Rajasthan.

Explanation-II.- For the purposes of this sub-section, the expression “Secretary to the Government in-charge” means the Secretary to the Government in-charge of a department and includes an Additional Chief Secretary and a Principal Secretary when he is in-charge of that department.

(III) Nominated Members-

- (a) two persons nominated by the Vice-Chancellor from amongst the Deans of the Faculties for one year;
- (b) two University Professors nominated by the Vice-Chancellor for one year;
- (c) two eminent educationists to be nominated by the Chancellor for three years;
- (d) 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;
- (e) two members of State Legislature to be nominated by the State Government for three years; and
- (f) two eminent educationists, to be nominated by the State Government for three years.

(IV) 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 education in Rajasthan on 1st January immediately preceding the year in which elections are held, other than the University Professors, Deans, Directors of the Colleges of the University, to be elected by the teachers of the University and of its constituent colleges form amongst themselves for three years.

- (2) One third of the members of the Board shall constitute the quorum for meeting.
- (3) The Chairman 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 or Regulations.
- (4) The members shall serve without any additional pay but shall be entitled to daily allowance and traveling expenses as may be prescribed.
- (5) The minutes of meeting of the Board shall be recorded and maintained by the Member-secretary of the Board.

24. Duties and functions of the Board.- 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;
- (g) to direct the form and use of the common seal of the University
- (h) to appoint such committees, either standing or temporary as 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 prescribed 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.

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

- (a) the Vice-Chancellor *ex-officio* Chairman;
- (b) Deans of the Faculties;
- (c) one Professor from each faculty to be nominated by the Vice-Chancellor;
- (d) one Principal or Director of a constituent college to be nominated by the Vice-Chancellor;
- (e) the Secretary to the Government in-charge of the Department of Medical Education;
- (f) Director of Medical Education, Government of Rajasthan;
- (g) Chairmen, Board of Studies;

- (h) two Principals of affiliated colleges, one from Government colleges and another from private colleges, to be nominated by the State Government;
- (i) 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;
- (j) one teacher, other than the Professors, from 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;
- (k) 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
- (l) the Registrar of the University-Member-Secretary.

Explanation.- For the purposes of this sub-section, the expression “Secretary to the Government in-charge” means the Secretary to the Government in-charge of a department and includes an Additional Chief Secretary and a Principal Secretary when he is in-charge of that department.

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

26. The Finance Committee.- (1) The Finance Committee shall consist of-

- (a) the Vice-Chancellor;
- (b) the Secretary to the Government in-charge of the Department of Medical Education;
- (c) the Secretary to the Government in-charge of the Department of Finance Department;
- (d) the Pro Vice-Chancellor, if any;
- (e) the Registrar;
- (f) the Controller of Examinations;
- (g) the Finance Officer, who shall also be the Secretary of the Committee.

Explanation.- For the purposes of this sub-section, the expression “Secretary to the Government in-charge” means the Secretary to the Government in-charge of a department and includes an Additional Chief Secretary and a Principal Secretary when he is in-charge of that department.

(2) A member referred to in clause (b) or clause (c) of sub-section (1) may, instead of attending any meeting of the Finance Committee himself, nominate an officer not below the rank of 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.

27. Examination Committee.- (1) There shall be an Examination Committee in the University, the constitution of which shall be such 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 :-

- (a) to appoint examiners and moderators and, if necessary, to remove them;
- (b) to review, from time to time, the result of University examinations and submission of report thereon to the Academic Council;
- (c) to make recommendations to the Academic Council for the improvement of the examination system;
- (d) 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. 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, namely:-

- (a) Dean of the Faculty- Chairman;
- (b) University Professors of the subject assigned to the faculty;
- (c) Chairmen of the Boards of Studies in the Faculty;
- (d) 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

(e) two external experts nominated by the Academic Council.

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

29. Teaching of the University.- (1) All teaching recognized by the University shall be conducted in the University departments or in colleges, institutes and institutions.

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

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

30. 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 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 he 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 grounds 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 has been afforded a reasonable opportunity of showing cause as to why he should not be so removed and such cause has been considered by the Board:

Provided further that prior approval of the State Government shall 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 decision, and the decision of the Chancellor shall be final.

31. Proceedings of any authorities or bodies of the University not to be invalid by reason of any vacancy.- No act or proceedings of any authority or body of the University shall be invalid 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.

32. 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.

33. Pension or provident fund.- (1) For the benefit of its officers, teachers, clerical staff and other employees, the University shall constitute, in such manner and subject to such conditions as may be prescribed, such pension, gratuity, insurance and provident fund as it may deem fit.

(2) Provision shall be made in Statutes to ensure that staff members transferred from employment in the service of the State shall have their accrued service benefits protected upon such transfer.

34. Teachers and officers of the University.- (1) The appointment of teachers and officers of the University shall, save as provided in this Act, 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.

35. 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: -

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

(3) The matter 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 of 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.

36. 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: -

- (a) creating of the new posts of teachers, officers or other employees;
- (b) revision of the pay, allowances, post retirement benefits and other benefits to its teachers, officers and other employees;
- (c) 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;
- (d) diversion of any earmarked funds for the purpose other than that for which it was received;
- (e) transfer by sale, lease, mortgage or otherwise of immovable property;
- (f) incur expenditure on any development work from the funds received from the State Government for any purposes other than that for which the funds are received;
- (g) taking any decision regarding affiliated colleges resulting in increased financial liability, direct or indirect, for 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.

37. Assumption of financial control by the State Government as emergency measure.- 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 notification, declare that the finance of the University shall be subject to the control of the State Government and issue such other directions, as it may deem fit for the purpose and the same shall be binding on the University.

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

- (a) the constitution, powers and duties of the authorities of the University;
- (b) 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;
- (c) the designation, manner of appointment, powers, duties and service conditions of the officers of the University;
- (d) the classification and manner of appointment of teachers and their service conditions and qualifications;
- (e) the constitution of pension, gratuity, insurance and provident funds for the benefit of officers, teachers and other employees of the University;
- (f) the conferment of honorary degrees;
- (g) the establishment, amalgamation, sub-division and abolition of departments;
- (h) the establishment and abolition of hostels maintained by the University;
- (i) 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;
- (j) the number and emoluments of teachers of the University and the preparation and maintenance of a record of their services and activities.
- (k) the remuneration and allowances, including traveling and daily allowances to be paid to persons employed in the business of the University; and
- (l) all other matters which by this Act are required to be or may be provided for or prescribed by the Statutes.

39. 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 assent thereto or send it back to the Board for reconsideration.

(5) No Statute passed by the Board 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 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.

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

- (a) the courses of study, admission or enrollment of students, fee, qualifications or conditions requisite for any degree, diploma, certificate or fellowship;
- (b) the conduct of examinations including the appointments of examiners and their terms and conditions;
- (c) 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;
- (d) the recognition and supervision of hostels not run or maintained by the University; and
- (e) any other matter required by this Act or the Statutes to be dealt by or under the Ordinances of the University.

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

(2) No Ordinance 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 shall, as soon as possible, inform the Board of his objection to it. He may, after receiving the comments of the Board, either withdraw the order suspending the Ordinance or disallow the Ordinance, and his decision shall be final.

42. Regulations.- (1) Every authority of the University may make Regulations

consistent with this Act and the Statutes and Ordinances:-

- (a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;
- (b) providing for all matters which by this Act and the Statutes or Ordinances are to be provided for by that authority by the Regulation; and
- (c) 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 the amendment, in such manner as it may specify, of any Regulations made under this section or the annulment thereof by any authority of the University.

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

44. 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 by the Statutes.

45. 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.

46. 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 accruing to or received by the University from whatever source and all amounts disbursed or paid shall be entered in the accounts.

(2) Such accounts shall be audited in such manner and by such auditors as the State Government may direct and the cost of such audit shall be a charge on the University Fund.

(3) The accounts when audited shall be printed and copies thereof, together with 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.

47. 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.

48. 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 officer as the State Government may direct.

49. 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.

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

- (a) 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
- (b) 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
- (c) make such other temporary provisions for the purpose of removing any such difficulties as it any 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 order should not be made, such order shall affect, 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 deems necessary, decide the question and his decision shall be final.

ज्ञान प्रकाश गुप्ता,
Principal Secretary to the Government.

राज्य केन्द्रीय मुद्रणालय, जयपुर।