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मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 274]

भोपाल, शनिवार, दिनांक 5 जुलाई 2014—आषाढ़ 14, शक 1936

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 5 जुलाई, 2014

क्र. 4164-161-इक्कीस-अ(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में मध्यप्रदेश विश्वविद्यालय (संशोधन) विधेयक, 2014 (क्रमांक 10 सन् 2014) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अपर सचिव.

MADHYA PRADESH BILL
No. 10 of 2014

THE MADHYA PRADESH VISHWAVIDYALAYA (SANSHODHAN) VIDHEYAK, 2014

A Bill further to amend the Madhya Pradesh Vishwavidyalaya Adhiniyam, 1973.

Be it enacted by the Madhya Pradesh Legislature in the sixty-fifth year of the Republic of India as follows:—

1. (1) This Act may be called the Madhya Pradesh Vishwavidyalaya (Sanshodhan) Adhiniyam, 2014. **Short title and commencement.**

(2) It shall come into force on the date of its publication in the Madhya Pradesh Gazette.

2. For section 23 of the Madhya Pradesh Vishwavidyalaya Adhiniyam 1973 (No. 22 of 1973) (hereinafter referred to as the principal Act), the following section shall be substituted, namely:— **Substitution of section 23.**

“23. (1) The Executive Council shall be the executive body of the University and shall consist of the following persons, namely:— **Executive Council.**

(i) the Kulpati-Chairman;

- (ii) the Registrar-Member Secretary;
 - (iii) four Deans of Faculties nominated by the Kuladhipati by rotation for every two years according to the seniority;
 - (iv) two Professors of the University Teaching Department or School of Studies to be nominated by the Kuladhipati by rotation for every two years according to seniority;
 - (v) four Principals of affiliated colleges at least two of whom shall be from colleges belonging to the State Government, to be nominated by the State Government by rotation for every two years according to seniority;
 - (vi) the Secretary to Government of Madhya Pradesh, Higher Education Department or his nominee not below the rank of Deputy Secretary;
 - (vii) the Secretary to Government of Madhya Pradesh, Finance Department or his nominee not below the rank of Deputy Secretary;
 - (viii) the Commissioner, Higher Education or his nominee not below the rank of Additional Director;
 - (ix) the Divisional Commissioner of the division where University is located or his nominee not below the rank of Additional Collector;
 - (x) Inspector General of Police of the zone where the University is located or his nominee not below the rank of Additional Superintendent of Police;
 - (xi) four educationist who have made significant contribution to the field of education, being at least graduate and not being member of any political party, nominated by the Kuladhipati amongst whom at least one each shall be a person belonging to Scheduled Castes and Scheduled Tribes category, out of these four persons at least two shall be women;
 - (xii) Finance Officer/Finance Controller, as the case may be, of the University.
- (2) Members of the Executive Council other than ex-officio members shall hold office for a period of two years.
 - (3) Fifty percent members of the Executive Council necessarily including Kulpati and Registrar shall form a quorum:

Provided that no quorum shall be necessary for an adjourned meeting.”.

Amendment of section 49.

3. In section 49 of the principal Act, for sub-section (2), (3) (4) and (5), the following sub-section shall be substituted, namely:—

- “(2) The members of the committee of selection shall be as follows:—
- (i) the Kulpati-Chairman;
 - (ii) the Registrar-Secretary;
 - (iii) two experts to be nominated by the Kuladhipati from a panel, of four experts in the subject, not connected with the University in any manner whatsoever, submitted by the Academic Council;
 - (iv) one subject expert, not connected with the University in any manner whatsoever, to be nominated by the Kuladhipati from category of Scheduled Castes or Scheduled Tribes. In case of non-availability of an expert from these categories, one Administrative Officer not below the rank of Secretary of the Government, who belongs to the reserved categories, shall be nominated.
- (3) Four members including Chairman of the Selection Committee shall form a quorum, provided at least one member shall belong to Scheduled Castes of Scheduled Tribes category and Registrar shall be present in the meeting as Secretary.

- (4) The Committee shall investigate the merits of the various candidates and shall recommend to the Executive Council, the names, if any, of person who it considers suitable for the posts, arranged in order of merit.
- (5) Out of the names so recommended under sub-section (4), the Executive Council shall appoint persons in order of merit.”
4. After section 49-A of the principal Act, the following section shall be inserted, namely:— **Insertion of section 49-B.**
- “49-B. (1) Notwithstanding anything contained in section, 49, the State Government may direct the University to make appointment of teachers of the University by the Public Service Commission. **Power of State Government to give direction.**
- (2) Notwithstanding anything contained in clause (xxxii) of section 24, the State Government may also direct the University to make appointment to the post of class III and class IV cadre by selection through the Madhya Pradesh Professional Examination Board or similar Government agency.
- (3) If the State Government is satisfied that a situation has arisen in the University whereby the day-to-day work is not being performed due to vacancies or any other reason reported to the State Government, then the State Government shall have power to transfer the teachers or other employees from one University to another University or to send teachers or employees on deputation to the University for proper functioning of the University.
- (4) It shall be binding on the University to give effect to the direction given under this section.”

STATEMENT OF OBJECTS AND REASONS

The Madhya Pradesh Vishwavidyalaya Adhiniyam, 1973 (No. 22 of 1973) is in force for the last forty years for organization and administration of the Universities in the State.

2. It has been noticed that the Universities are not performing the functions satisfactorily in respect of appointment of teachers and employees.

3. For smooth running and proper functioning of the Universities, it is proposed to empower the State Government to give appropriate direction, Therefore, necessary amendments are proposed.

4. Hence this Bill.

Bhopal :

Dated the 3rd June, 2014

UMASHANKAR GUPTA

Member-in-charge.