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मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 133]

भोपाल, मंगलवार, दिनांक 29 मार्च 2011—चैत्र 8, शक 1933

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भोपाल, दिनांक 29 मार्च 2011

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

MADHYA PRADESH BILL

NO. 15 OF 2011

THE MADHYA PRADESH AYURVIGYAN VISHWA VIDYALAYA
VIDHEYAK, 2011

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THE SCHEDULE

MADHYA PRADESH BILL

NO. 15 OF 2011

THE MADHYA PRADESH AYURVIGYAN VISHWAVIDYALAYA
VIDHEYAK, 2011

A Bill to establish and incorporate a University of Health Sciences for the purpose of ensuring systematic, efficient and qualitative education in Medical, Dental, Nursing, Ayurvedic, Unani, Homeopathy, Yoga, Naturopathy, Siddh, Paramedical and other allied subjects at Degree and Diploma level and for matters connected therewith or incidental thereto.

Be it enacted by the Madhya Pradesh Legislature in the Sixty-second year of the Republic of India as follows :-

**CHAPTER I
PRELIMINARY**

**Short title,
extent and
commence-
ment.**

1. (1) This Act may be called the Madhya Pradesh Ayurvigyan Vishwavidyalaya Adhiniyam, 2011.

(2) It extends to the whole of the State of Madhya Pradesh.

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

Definitions.

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

- (a) "Academic Council" means the Academic Council of the University;
- (b) "affiliated college or school" means an institution admitted to the privileges of the University in accordance with the provisions of this Act and the Statutes;
- (c) "autonomous college or school" means an institution declared as autonomous institution by the Executive Council in accordance with the provisions of this Act;
- (d) "Board of Studies" means the Board of Studies of the University;
- (e) "Central Council of Homoeopathy" means the Homoeopathy Council established under the Homoeopathy Central Council Act, 1973 (No. 59 of 1973);
- (f) "Central Council of Indian Medicine" means the Central Council of Indian Medicine constituted under the Indian Medicine Central Council Act, 1970 (No. 48 of 1970);
- (g) "Chancellor" means the Chancellor of the University;
- (h) "College" or "school" means an institution maintained by, or admitted to the privileges of the University by or under the provisions of this Act;
- (i) "Court" means the Court of the University;
- (j) "Dean/Principal" means the head of the college or school and includes, when there is no Dean/Principal, the person for the time being duly appointed to act as Dean/Principal;
- (k) "Department" means a Department of Studies and includes a Centre of Studies;
- (l) "Dental Council of India" means the Dental Council established under the Dentist Act, 1948 (No. 16 of 1948);
- (m) "employee" means any person appointed by the University and includes teachers and other staff of the University;
- (n) "Executive Council" means the Executive Council of the University;
- (o) "Faculty" means Faculty of the University;

- (p) "Head of a University department" means the head of the teaching department maintained by the University for imparting instruction to the students of the University and includes the Director or Dean/Principal of any college or school maintained by the University for the promotion of research or for imparting instruction to the students;
- (q) "Head of college or school department" means the head of any department of a college or school;
- (r) "Hostel" means a unit of residence or of corporate life for the students of the University, or of a college or school provided, maintained or recognised by the University;
- (s) "Indian Nursing Council" means the Nursing Council established under the Indian Nursing Council Act, 1947 (No. 48 of 1947);
- (t) "Medical Council of India" means the Medical Council established under the Indian Medical Council Act, 1956 (No. 102 of 1956);
- (u) "Other Backward Classes" means the Other Backward Classes as specified by the Government of Madhya Pradesh vide Notification No. F-85-xxv-4-84, dated the 26th December, 1984 as amended from time to time;
- (v) "Paramedical Council" means the Paramedical Council established under the Madhya Pradesh Sah Chikitsiy Parishad Adhiniyam, 2000 (No. 1 of 2001);
- (w) "person connected with the University" means an employee of the University or a college or a school or a member of any authority or body of the University or of the management of the college or school;
- (x) "registered graduate or diploma holder" means a graduate or diploma holder registered or deemed to be registered under the provisions of this Act;
- (y) "School of Studies" means an institution maintained by the University as a place of higher learning and research;
- (z) "Scheduled Castes" means the Scheduled Castes as specified in relation to the State of Madhya Pradesh under article 341 of the Constitution of India;
- (za) "Scheduled Tribes" means the Scheduled Tribes as specified in relation to the State of Madhya Pradesh under article 342 of the Constitution of India;
- (zb) "Secretary to Government" includes Additional Chief Secretary to Government and Principal Secretary to Government;
- (zc) "State Government" means the Government of Madhya Pradesh in Medical Education Department;
- (zd) "Statutes, Ordinances and Regulations" means the Statutes, Ordinances and Regulations of the University;
- (ze) "Teachers of the University" means Professors, Associate Professors, Readers, Assistant Professors, Lecturers and such other persons as may be appointed for imparting instruction or conducting research, with the approval of the Academic Council in the University or any college or school or any institution maintained or recognised by the University;

- (zf) "University" means the Madhya Pradesh Ayurvigyan University;
- (zg) "Vice-Chancellor" means the Vice-Chancellor of the University;
- (zh) "VYAPAM" means Vyavasayaik Pariksha Mandal, Madhya Pradesh, Bhopal.

CHAPTER II THE UNIVERSITY

Incorporation of University.

3. (1) The Chancellor and the first Vice-Chancellor of the University and the first members of the Court, Executive Council and the Academic Council thereof shall constitute the University and the University so constituted shall be a body corporate by the name of the Madhya Pradesh Medical Science University.

(2) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

(3) Subject to the provisions of this Act, the University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property, which may have become vested in or may have been acquired by it for the purposes of the University and to contract and do all other things necessary for the purpose of this Act.

(4) The headquarter of the University shall be at Jabalpur.

Objects.

4. The University shall *inter alia* have the following main objectives:-

- (a) to provide a system of health education capable of responding to the changing requirements of health and allied health manpower;
- (b) to bring about qualitative improvement in teaching and learning processes;
- (c) to provide congenial environment for consultancy, continuing education and research and development activities;
- (d) to develop strong links with different health bodies and imparting health education for mutual benefits;
- (e) to provide necessary help to institutions to encourage entrepreneurship amongst students;
- (f) to maintain live contact with alumni and develop alumni sponsored programmes.

Powers of the University.

5. Subject to the provision of this Act, the University shall have the following powers, namely :-

- (i) to provide for instruction in such branches of learning as the University may, from time to time, determine and to make provision for research and for the advancement and dissemination of knowledge;
- (ii) to organise laboratories, libraries, museums and other equipments for teaching and research;
- (iii) to establish colleges, schools, teaching departments, schools of studies, centers of studies, hostels and guest houses and maintain and manage such establishments;

- (iv) (a) to institute Professorships, Associate Professorships, Readerships, Assistant Professorships Lecturerships and any other academic or teaching posts required by the University and to appoint persons to such posts in accordance with the provisions of this Act;
- (b) to appoint persons working in any other University or organisation as teachers of the University for a specified period;
- (v) to recognize teachers as qualified to give instruction in institutions;
- (vi) to recognize eminent persons to guide research;
- (vii) to lay down the courses of instruction for various examinations;
- (viii) to institute degrees, diploma, certificates and other academic distinctions;
- (ix) to grant, subject to such conditions as the University may determine, diplomas or certificates and confer degrees and other academic distinctions on the basis of examinations, evaluation or any other method of testing :

Provided that no person shall be admitted to an examination leading to any degree or diploma of the University, unless such person, if he had offered a subject for such examination for which a course of practical work is prescribed, has completed such work in a college or school of the University and produces a certificate of such completion from the head of the teaching department or school of studies or the Dean/ Principal of the college or school;

- (x) to confer degrees, diplomas, certificates and other academic distinctions on persons who have carried on research under conditions laid down in the Ordinances;
- (xi) to withdraw degrees, diplomas, certificates and other academic distinctions for good and sufficient reasons;
- (xii) to confer honorary degrees or other academic distinctions on approved persons in the manner prescribed in the Statutes;
- (xiii) to provide such lectures and instruction for and to grant such diplomas and certificates to persons who are not enrolled as students of the University, as the University may determine;
- (xiv) to admit to its privileges colleges or school not maintained by the University, to withdraw all or any of these privileges and to take over the management of colleges or schools in the manner and under conditions prescribed by the Statutes or the Ordinances;
- (xv) to declare a teaching department of the University, school of studies, college or school as autonomous college or school :

Provided that the extent of the autonomy which such teaching department of the University, school of studies or college or institution may have and the matters, in relation to which it may exercise such autonomy, shall be such as may be prescribed by the Statutes;

- (xvi) to conduct, co-ordinate, regulate and control teaching and research work in the colleges or schools recognised by the University;

- (xvii) to recognize hostels not maintained by the University and withdraw any such recognition in the manner prescribed in the Statutes and the Ordinances;
- (xviii) to inspect colleges or schools or institutions and to take measures to ensure that proper standards of instruction, teaching and training are maintained therein;
- (xix) to promote with special care the educational interest of the weaker sections of people and in particular of the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes;
- (xx) to provide to the teachers and alumni of the University facilities of refresher and vocational courses;
- (xxi) to co-operate and collaborate with other Universities and authorities in such manner and for such purposes as the University may determine;
- (xxii) to make provision for –
 - (a) extra-mural teaching and extension service;
 - (b) correspondence Courses;
 - (c) sports and athletic activities;
 - (d) social service schemes;
 - (e) Nations Cadet Corps;
 - (f) students Union;
- (xxiii) to provide for training for competitive examinations for services under the Union or State Governments and such other training as may contribute to national development
- (xxiv) to institute and manage-
 - (a) Information Bureau;
 - (b) Employment Bureau;
 - (c) Printing and Publication Department;
- (xxv) to supervise and control the residence, conduct and discipline of students of the University and to make arrangements for promoting their health and general welfare;
- (xxvi) to demand and receive payment of such fees and other charges which may be prescribed by the Ordinances;
- (xxvii) to prescribe and control the fees and other charges which may be received or recovered by colleges;
- (xxviii) to create administrative, ministerial and other necessary posts and to make appointments thereto;

- (xxix) to exercise control over the salaried officers, teachers and other employees of the University in accordance with the Statutes and Ordinances;
- (xxx) to hold and manage trusts and endowments and to institute and award fellowships, scholarships, exhibitions, bursaries, medals and other awards;
- (xxxi) to receive donations and grants and to invest funds in accordance with the provisions of this Act;
- (xxxii) with the prior approval of the State Government to borrow on the security of University property on money for the purposes of the University;
- (xxxiii) to determine standards for admission to the University which may include, examination, evaluation or any other method of testing wherever list of selected candidates are not provided by the "VYAPAM";
- (xxxiv) to make special arrangements in respect of women students as the University may consider desirable;
- (xxxv) to make arrangements for promoting the health and general welfare of employees;
- (xxxvi) to do all such acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

6. (1) The jurisdiction of the University shall extend to the whole of the State of Madhya Pradesh. **Jurisdiction.**

(2) Notwithstanding anything contained in any other law for the time being in force, any college or school or institution imparting education in Medical, Dental, Nursing, Ayurvedic, Unani, Homeopathy, Yoga, Naturopathy, Siddh, Paramedical and other allied subjects situated within the limits of the area specified under sub-section (1) shall, with effect from such date as may be notified in this behalf by the State Government, be deemed to be associated with and admitted to the privileges of the University and shall cease to be associated with other University or Board in the manner prescribed by the Statutes or Regulations.

- (3) Nothing contained in this section shall apply in case of :—
- (a) the colleges or schools or institutions which have not been approved by the Medical Council of India, Dental Council of India, Indian Nursing Council, Central Council of Homeopathy, Central Council of Indian Medicine or Paramedical Council, as the case may be, or the Government of Madhya Pradesh;
 - (b) teaching department of any University engaged in teaching of Medical, Dental, Nursing, Ayurvedic, Unani, Homeopathy, Paramedical, Yoga, Naturopathy, Siddh or allied subjects;
 - (c) the colleges or schools or institutions maintained by, or affiliated to, a University or Board established by the Central Government.

(4) The research and development work being carried out in colleges or schools or institutions which have been admitted to the privileges of the University shall be co-ordinated and integrated into the activities of the University with effect from such date or dates as may be fixed by the mutual consent of the University and concerned colleges, schools or institutions.

Prohibition of discrimination in all matters connected with the University.

7. It shall not be lawful for the University to impose any test or condition whatsoever relating to religion, caste, sex, place of birth or political or other opinion in order to entitle any person-

- (a) to hold any office in the University; or
- (b) to be a member of any authority of the University; or
- (c) to be appointed or admitted as a teacher; or
- (d) to be admitted to any degree, diploma or other academic distinction or course of study or to qualify for any degree, diploma or other academic distinction; or
- (e) to enjoy or exercise any privileges of the University or benefit thereto; or
- (f) to donate funds for creation of endowment :

Provided that the University may subject to the previous sanction of the State Government, maintain any college or school or institution exclusively for women either for education, instruction or residence or reserve for women or members of the Scheduled Castes or the Scheduled Tribes, or the Other Backward Classes or disabled, seats for the purposes of admission as students in any college or school or institution maintained or controlled by the University :

Provided further that nothing in this section shall be deemed to require the University to admit to any course of study, students larger in number than, or with academic or other qualifications lower than those prescribed in the Statutes or Ordinances.

Teaching in the University.

8. All recognised teaching in the University courses, the authorities responsible for organising such teaching and curriculums shall be such as may be prescribed by the Statutes, Ordinances or Regulations, as the case may be.

Inspection of the University and colleges.

9. (1) The Chancellor may, on his own motion, and shall on a request made by the State Government, cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, museums, workshops and equipments and of any college or school or institution maintained by the University or admitted to its privileges, and also of the examinations, teaching and other work conducted or done by the University and cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, college or school or institution.

(2) The Chancellor shall, in every case, give notice of his intention to cause an inspection or inquiry to be made :—

- (a) to the University, if such inspection or inquiry is to be made in respect of the University college or school or institution maintained by it ;
- (b) to the management of the college or school or institution if the inspection or inquiry is to be made in respect of a college or school or institution admitted to the privileges of the University and the University or management, as the case may be, shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.

(3) Such person shall report to the Chancellor the result of such inspection or inquiry and the Chancellor shall communicate through the Vice-Chancellor to the Executive Council or the said management, as the case may be, his views with reference to the result of, such inspection or

inquiry and shall, after ascertaining the opinion of the Executive Council or the management thereon, advise the University or the management upon the action to be taken :

Provided that where an inspection or inquiry is caused on a request from the State Government, the Chancellor shall take action under this sub-section in consultation with the State Government.

(4) The Executive Council or the management, as the case may be, shall communicate through the Vice-Chancellor to the Chancellor such action, if any, as it has taken or is proposed to be taken upon the result of such inspection or inquiry and such report shall be submitted within such time as the Chancellor may direct.

(5) Where the Executive Council or the management, does not within a reasonable time, take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Executive Council or the management, issue, in consultation with the State Government, such directions as he may think fit and the Executive Council or management, as the case may be, shall comply with these.

CHAPTER III OFFICERS OF THE UNIVERSITY

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

**Officers of the
University.**

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Rector;
- (iv) the Deans of faculty;
- (v) the Registrar;
- (vi) the Controller of Examinations;
- (vii) the Dean of Students Welfare; and
- (viii) such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

11. (1) The Governor of Madhya Pradesh shall be the Chancellor of the University.

**Chancellor and
his powers.**

(2) The Chancellor shall by virtue of his office, be the Head of the University and the President of the Court and shall when present preside at the meetings of the Court or at any convocation of the University.

(3) The Chancellor may-

- (a) call for any papers or information relating to the affairs of the University; and
- (b) for reasons to be recorded, refer any matter except a matter falling under section 53 for reconsideration to any officer or authority of the University, that has previously considered such matter.

- (4) The Chancellor may, by an order in writing annul:-
- (a) any proceedings of any officer, authority, committee or body of the University constituted by or under this Act, which is not in conformity with this Act, the Statutes, the Ordinances or the Regulations; or
 - (b) any proceedings of any authority, committee or other body which has been referred to him by the Vice-Chancellor under sub-section (7) of Section 14,
- if he is satisfied that such proceedings are prejudicial to the interest of the University :

Provided that before making such order he shall call upon the officer, authority, committee or body concerned to show cause why such an order should not be made and if any cause is shown within the time specified by him in this behalf he shall consider the same.

(5) Where the Chancellor passes an order annulling the proceedings under sub-section (4), he may make such subsequent order in relation thereto in conformity with this Act, Rules, Statutes, Ordinances or Regulations, as he may deem fit in the interest of the University and the order so made shall be final.

(6) Every proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor.

(7) The Chancellor shall exercise such powers as may be conferred on him by or under this Act.

Appointment of Vice-Chancellor

12. (1) The Vice-Chancellor shall be appointed by the Chancellor from a panel of not less than three distinguished persons in the field of health education recommended by the committee constituted under sub-section (2) or sub-section (6) :

Provided that if the person or persons approved by the Chancellor out of those recommended by the committee are not willing to accept the appointment, the Chancellor may call for fresh recommendations from such committee :

Provided further that the first Vice-Chancellor shall be appointed by the Chancellor in consultation with the State Government :

Provided also that no person who has attained the age of sixty-six years shall be eligible for appointment or reappointment as Vice-Chancellor.

- (2) The Chancellor shall appoint a committee consisting of the following persons, namely:-
- (i) One person elected by the Executive Council;
 - (ii) One person nominated by the State Government;
 - (iii) One distinguished person from the field of health education nominated by the Chancellor.

The Chancellor shall appoint one of the three persons to be the Chairman of the committee.

(3) For constituting the committee under sub-section (2), the Chancellor shall six months before the expiry of the term of the Vice-Chancellor, call upon the Executive Council and the State Government to choose their nominee and if any or both of them fail to do so within one

month of the receipt of the Chancellor's communication in this regard, the Chancellor may further nominate anyone or both the persons, as the case may be.

(4) No person who is connected with the University or any college or school shall be elected or nominated on the committee under sub-section (2).

(5) The committee shall submit the panel within six weeks from the date of its constitution or such further time not exceeding four weeks as may be extended by the Chancellor.

(6) If for any reasons the committee constituted under sub-section (2) fails to submit the panel within the period specified in sub-section(5), the Chancellor shall constitute another committee in accordance with the provisions of sub-section (2) to (5).

13. (1) The Vice-Chancellor shall be a whole-time salaried officer of the University and his emoluments and other terms and conditions of service shall be such as determined by the State Government.

Emoluments and conditions of service of the Vice-Chancellor, terms of office of and vacancy in the office of the Vice-Chancellor.

(2) The Vice-Chancellor shall hold office for a term of four years or till attaining the age of seventy years, whichever is earlier and shall not be eligible for appointment for more than two terms :

Provided that notwithstanding the expiry of his term he shall continue to hold office until his successor is appointed and enters upon his office but this period shall not, in any case, exceed six months.

(3) If at any time upon representation made or otherwise and after making such enquiries as may be deemed necessary, it appears to the Chancellor that the Vice-Chancellor--

- (i) has made default in performing any duty imposed on him by or under this Act; or
- (ii) has acted in a manner prejudicial to the interest of the University; or
- (iii) is incapable of managing the affairs of the University;

the Chancellor may notwithstanding the fact that the term of office of the Vice-Chancellor has not expired, by an order, in writing, stating the reasons therein, require the Vice-Chancellor to relinquish his office as from such date as may be specified in the order.

(4) No order under sub-section (3) shall be passed unless the particulars of the grounds on which such action is proposed to be taken are communicated to the Vice-Chancellor and he is given a reasonable opportunity of showing cause against the proposed order.

(5) As from the date specified in the order under sub-section (3), the Vice-Chancellor shall be deemed to have relinquished the office and the office of the Vice-Chancellor shall fall vacant.

(6) In the event of the occurrence of any vacancy including a temporary vacancy in the office of the Vice-Chancellor by reason of his death, resignation, leave, illness or otherwise, the Rector and if no Rector has been appointed or Rector is not available, the Dean of any faculty nominated by the Chancellor for that propose shall act as the Vice-Chancellor until the date on which the Vice-Chancellor appointed under sub-section (1) of Section 12 enters or re-enters, as the case may be, upon office :

Provided that the arrangement contemplated in this sub-section shall not continue for a period of more than six months.

Powers and duties of Vice-Chancellor.

14. (1) The Vice-Chancellor shall be the principal administrative and academic officer of the University. He shall be an ex-officio member and Chairman of the Executive Council and of the Academic Council and Chairman of such other authorities, committees and bodies of the University of which he is a member. He shall be entitled to be present and to speak at any meeting of any authority, committee or other body of the University, but shall not be entitled to vote thereat unless he is a member of the authority, committee or body concerned.

(2) It shall be the duty of the Vice-Chancellor to ensure that this Act, the Statutes, the Ordinances and the Regulations are faithfully observed and he shall have all powers necessary for this purpose.

(3) The Vice-Chancellor shall have the power to convene meetings of the Executive Council, the Academic Council and of such other authorities, committees and bodies of the University of which he is the Chairman. He may delegate this power to any other officer of the University.

(4) If in the opinion of the Vice-Chancellor any emergency has arisen which requires immediate action to be taken, the Vice-Chancellor shall take such action as he deems necessary and shall, at the earliest opportunity thereafter, report his action to such officer, authority, committee or other body as would have in the ordinary course dealt with the matter :

Provided that the action taken by the Vice-Chancellor shall not commit the University to any recurring expenditure for a period of more than three months :

Provided further that where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within thirty days from the date on which such action is communicated to him, an appeal to the Executive Council:

Provided also that this power shall not extend to matters regarding amendment in the Ordinances, Statutes, Regulations or any matter relating to appointments.

(5) On receipt of a report under sub-section (4) if the authority, committee or body concerned does not approve the action taken by the Vice-Chancellor it shall refer the matter to the Chancellor whose decision thereon shall be final.

(6) The action taken by the Vice-Chancellor under sub-section (4) shall be deemed to be the action taken by the appropriate authority until it is set aside by the Chancellor on a reference made under sub-section (5) or is set aside by the Executive Council on an appeal under the second proviso to sub-section (4).

(7) If in the opinion of the Vice-Chancellor, any proceeding of any authority, committee or other body of the University is likely to be prejudicial to the interest of the University, he shall record his reasons and refer the matter to the Chancellor and also inform the authority, committee or other body concerned whereupon the decision concerned shall not be given effect to till the matter is decided by the Chancellor under sub-section (4) of section 11.

(8) The Vice-Chancellor shall exercise general control over the affairs of the University and shall give effect to the decisions of the authorities of the University.

(9) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes, Ordinances and Regulations.

Powers and duties of the first Vice-Chancellor.

15. It shall be the duty of the first Vice-Chancellor of the University to constitute Court, Executive Council, Academic Council and other authorities of the University within a period of two years from the date of establishment of the University and till the said authorities are constituted, the Vice-Chancellor shall be deemed to be the Executive Council, Academic Council or such other authority, as the case may be and shall exercise the powers and perform the duties conferred or imposed on such authorities by or under this Act :

Provided that the Chancellor may, if he considers it necessary or expedient so to do, appoint a committee, after consultation with the State Government, consisting of an educationist and an administrative expert to aid and advise the Vice-Chancellor in the exercise of his powers and performance of functions in lieu of each such authority.

16. (1) Rector shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor. If the Executive Council does not accept the recommendation of the Vice-Chancellor the matter shall be referred to the Chancellor whose decision thereon shall be final.

Rector.

(2) The Rector shall be a salaried officer of the University. The emoluments and the conditions of his service shall be such as determined by the State Government.

(3) The term of office of the Rector shall be such as may be prescribed by the Statutes and till so prescribed, as may be determined by the Chancellor.

(4) The Rector shall perform, such duties and exercise such powers of Vice-Chancellor as may be assigned to him by the Chancellor in consultation with the Vice-Chancellor and he shall perform such other duties and exercise such other powers as may be prescribed by the Statutes, Ordinances and Regulations.

17. (1) The Registrar shall be a whole-time salaried officer of the University and shall discharge his duties under the Act, subject to the general superintendence and control of the Vice-Chancellor. He shall act as the Secretary of the Court, of the Executive Council, of the Academic Council and of the Academic, Planning and Evaluation Board.

Registrar.

(2) The Registrar shall be appointed by the State Government on deputation from amongst the teachers of a Government Medical College with a minimum 7 years experience as professor or administrative officers of equivalent or higher ranks serving in any department of the State Government.

(3) The emoluments and conditions of service of the Registrar shall be such as may be determined by the State Government.

(4) Subject to the powers of the Executive Council, the Registrar shall, unless otherwise provided in the Statutes, be responsible for seeing that all moneys are expended for the purpose for which they are granted or allotted.

(5) Unless otherwise provided for by or under this Act, all contracts shall be signed and all documents and records shall be authenticated by the Registrar on behalf of the University.

(6) The Registrar shall exercise such powers and perform such duties as may be conferred or imposed on him, by the Statutes, Ordinances and Regulations.

18. (1) The Dean of Students Welfare shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor.

Dean of Students Welfare.

(2) The Dean appointed under sub-section (1) shall be a whole-time salaried officer. His emoluments and conditions of service shall be such as may be determined by the State Government :

Provided that the Executive Council may, if it considers necessary, appoint on the recommendation of the Vice-Chancellor, a teacher, not below the rank of an Associate Professor or Reader for a period of three years to discharge the duties of the Dean of Students Welfare, in addition to his duties as such teacher, and in such a case, the Executive Council may sanction a suitable allowance to be paid to him.

(3) The duties and powers of the Dean of Students Welfare shall be prescribed by the Statutes.

Controller of Examinations and other officers.

19. (1) The Controller of Examinations shall be appointed by the State Government on deputation from amongst the teachers of a Government Medical College with a minimum 3 years experience as professor.

(2) The emoluments and conditions of service of the Controller of Examinations shall be such as may be determined by the State Government.

(3) The Controller of Examinations shall exercise such powers and perform such duties as may be conferred or imposed on him, by the Statutes, the Ordinances and the Regulations.

(4) The appointment of other officers and employees of the University shall be made in such manner and their emoluments and conditions of service shall be such as may be prescribed by the Statutes, Ordinances and Regulations.

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

Authorities of the University.

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

- (i) the Court;
- (ii) the Executive Council;
- (iii) the Finance Committee;
- (iv) the Academic Council;
- (v) the Faculties;
- (vi) the Board of Studies;
- (vii) the Academic Planning and Evaluation Board;
- (viii) such other authorities as may be declared by the Statutes to be the authorities of the University.

Constitution of Court.

21. (1) The Court shall consist of the following persons namely:-

GROUP-A

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Rector;
- (iv) the Deans of Faculty;
- (v) Secretaries in charge of the Medical Education and Ayush Department of the Government of Madhya Pradesh;
- (vi) the Director of Medical Education, Government of Madhya Pradesh;
- (vii) Commissioner/Director, Indian System of Medicine and Homeopathy, Government of Madhya Pradesh;
- (viii) the Dean of Students Welfare;

GROUP-B

- (ix) one Professor, one Associate Professor /Reader and one Assistant Professor / Lecturer from University Teaching Department / School of Studies, Centre of Studies to be elected from amongst themselves in the manner prescribed by the Statutes;
- (x) one Dean/Principal, one Professor, one Associate Professor/ Reader and one Assistant Professor / Lecturer from affiliated college to be elected from amongst themselves in the manner prescribed by the Statutes;

GROUP-C

- (xi) not more than two persons representing "Learned Professions" to be nominated by the Chancellor, in the manner prescribed by the Statutes;
- (xii) not more than four persons representing Indian Red Cross Society and association of Medical, Dental, Ayurved, Unani, Homeopathy, Nursing, Paramedical, Yoga, Naturopathy or Siddh practitioners to be nominated by the Chancellor;
- (xiii) four members of the State Legislative Assembly to be selected by the State Legislative Assembly;
- (xiv) five representatives to be elected by the registered graduates of the University from amongst themselves;
- (xv) every donor donating 10 lakh rupees or more to the University;
- (xvi) one representative from the salaried not-teaching employees of the University elected from amongst themselves in the manner prescribed by the Statutes;

GROUP-D

- (xvii) two students elected by the student members of the Board of Studies from amongst themselves;
- (xviii) two students to be elected from amongst themselves by students who in the academic session immediately preceding the election have been members of teams of the University participating in the University tournaments;

GROUP-E

- (xix) such members of the Executive Council who are not members under any of the foregoing groups.

Explanation –

- (i) No person shall be eligible to become a member of the Court under more than one item;
- (ii) not more than one person shall be nominated from any University Teaching Department, School of Studies or College under item of (ix) of Group B;
- (iii) For the purpose of Group-D, "student" shall mean a person who-
 - (a) is receiving instruction or carrying on research in any of the college or University Teaching Department or School of Studies or any other institution of the University under the terms and conditions laid down in the Ordinances; and

- (b) has passed his class 12th examination of 10+2 scheme not earlier than 12 years before the opening date of the academic session in which he seeks election. Further, he must have passed each of the examinations from 12th onwards in single attempt.

(2) The term of office of members elected under Group-D of the sub-section (1) shall be one year.

(3) The term of office of members nominated or elected, as the case may be, under Group-B and Group-C or included in Group-E of sub-section (1) shall be coterminous with the term of the Court which shall be three years.

(4) Every donor specified in item (xv) of sub-section (1) shall be a member of the Court for 7 years from the date the donation is accepted by the University and during the period aforesaid, the representative as may be nominated from time to time by such donor shall be deemed to be the donor.

Meetings of the Court and quorum thereat.

22. (1) The Court shall meet at least once in a financial year and meeting of the court shall be convened by the Registrar in consultation with the Chancellor.

(2) One third of the members of the Court shall form the quorum :

Provided that no quorum shall be necessary for adjourned meeting.

Powers and duties of the Court.

23. Subject to the provision of this Act, the Court shall exercise the following powers and perform the following duties, namely:-

- (i) to act as an advisory body in all matters relating to the University;
- (ii) to review from time to time the broad policies and programmes of the University;
- (iii) to consider and pass resolutions on the annual report, the annual accounts and audit report thereon, if any;
- (iv) to consider and pass resolutions on the annual financial estimates of the University;
- (v) to confer on the recommendation of the Executive Council honorary degrees and other academic distinctions;
- (vi) to review the acts of the other authorities of the University where such authorities have not acted in accordance with the powers conferred upon them by this Act, the Statutes and the Ordinances;
- (vii) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act and the Statutes.

Executive Council.

24. (1) The Executive Council shall be the executive body of the University and shall consist of the following namely :-

- | | | |
|------|---------------------|----------|
| (i) | the Vice-Chancellor | Chairman |
| (ii) | the Rector | Member |

(iii)	The Secretaries incharge of Medical Education, Ayush and Finance departments, Government of Madhya Pradesh, or their representatives not below the rank of Deputy Secretary	Member
(iv)	one Dean / Principal of affiliated colleges or schools or institutions to be nominated by the Chancellor by rotation according to seniority	Member
(v)	all Deans of Faculty	Member
(vi)	one professor from the University Teaching Departments and affiliated colleges or institutions to be nominated by the Chancellor, by rotation according to seniority	Member
(vii)	two Heads of Department from affiliated colleges or schools, of which one shall be from Nursing or Paramedical subjects, to be nominated by the Chancellor, by rotation, according to seniority.	Member
(viii)	the Director, Medical Education, Government of Madhya Pradesh	Member
(ix)	the Commissioner / Director, Indian System of Medicine and Homeopathy, Government of Madhya Pradesh	Member
(x)	two educationists from the field of Medical/Dental/Nursing/ Ayurvedic/ Unani/Homeopathy/Yoga/ Naturopathy/Siddh/ Paramedical education to be nominated by the Chancellor	Member

(2) The members of the Executive Council other than ex-officio members shall hold office for a period of three years.

(3) One third of the members of the Executive Council shall form the quorum :

Provided that no quorum shall be necessary for adjourned meeting.

(4) The Registrar in consultation of the Vice-Chancellor shall convene the meeting of the Executive Council.

25. Subject to the provisions of this Act, the Statutes, Ordinances and Regulations made thereunder, the Executive Council shall have the following powers and shall perform the following duties, namely:-

Powers and duties of the Executive Council.

- (i) to hold, control and administer the property and funds of the University;
- (ii) to administer the funds placed at the disposal of the University for specific purpose;
- (iii) to adopt the annual accounts together with the audit report;

- (iv) to prepare the annual financial estimates of the University and to place them before the Court for its consideration;
- (v) (a) to adopt the annual financial estimates after considering suggestions of the court, if any;
- (b) to fix the limit for the total recurring expenditure and total non-recurring expenditure for the year based on the resources of the University which, in the case of capital expenditure, may include the proceeds of loans;
- (vi) subject to clause (v), at any time during the financial year:-
- (a) to reduce the amount of the budget grant;
- (b) to sanction the transfer of any amount within a budget grant from one head to another or from a subordinate head under one minor head to a subordinate head under another minor head; or
- (c) to sanction the transfer of any amount not exceeding rupees twenty five thousand within a minor head from one subordinate head to another or from one primary unit to another;
- (vii) to borrow and lend funds on behalf of the University :
- Provided that funds shall not be borrowed on the security of University property without the prior approval of the State Government;
- (viii) to transfer any movable or immovable property on behalf of the University :
- Provided that no immovable property of the University shall, except with the prior sanction of the State Government, be transferred by way of mortgage, sale, exchange, gift or otherwise;
- (ix) to enter into, vary, carry out and cancel contracts on behalf of the University in the exercise or performance of the powers and duties assigned to it by this Act, and the Statutes;
- (x) to determine the form of, provide for the custody and regulate the use of the common seal of the University;
- (xi) to submit annually to the State Government a full statement of the financial requirements of the University including colleges, hospitals, hostels and other units established or maintained by it;
- (xii) to admit colleges or schools to the privileges of the University on the recommendation of the Academic Council subject to the provisions of this Act and Statutes and to withdraw any of the privileges and to take over the management of the colleges, schools or institutions in the manner and under conditions prescribed by the Statutes and Ordinances;
- (xiii) to declare a teaching department of the University, school of studies, college or school as autonomous college or school;
- Provided that the extent of autonomy which each such teaching department of the University, school of studies or college or school may have, and the matters in relation to which it may exercise such autonomy, shall be such as may be prescribed by the Statutes;

- (xiv) to make provision for buildings, premises, furniture, apparatus, books and other means needed for carrying on the works of the University;
- (xv) to accept on behalf of the University, trusts, bequests, donations and transfers of movable or immovable properties to the University;
- (xvi) to manage and regulate the finances, accounts and investments of the University;
- (xvii) to institute and manage:-
- (a) a Printing and Publication Bureau;
 - (b) an Information Bureau;
 - (c) an Employment Bureau;
- (xviii) to make provision for :-
- (a) (1) Extramural teaching and research;
 - (2) University Extension Activities;
 - (b) Students Union;
 - (c) Students Welfare;
 - (d) Sports and athletic activities;
 - (e) Social Services Scheme; and
 - (f) National Cadet Corps;
- (xix) to scrutinize all proposals of the Academic Council with a view to their execution within the framework of the budget;
- (xx) to institute such Professorships, Associate Professorships / Readerships, Assistant Professorships/ Lectureships or other teaching posts as may be proposed by the Academic Planning and Evaluation Board :
- Provided that no teaching post shall be instituted without the prior approval of the State Government;
- (xxi) to create administrative, ministerial and other posts with the prior sanction of the State Government;
- (xxii) to abolish or suspend, after report from the Academic Planning and Evaluation Board thereon, any Professorships, Associate Professorships / Readerships , Assistant Professorships / Lecturerships or other teaching posts in the University;
- (xxiii) to establish colleges, teaching departments, institutions of research of specialized studies, laboratories, libraries, museums and hostels and maintain and manage these insitutions;
- (xxiv) to recognise hostels and to provide housing accommodation for teachers of the University;

- (xxv) to arrange for and direct the inspection of affiliated colleges, recognised institutions and hostels and to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff, and payment of adequate salaries and in case of disregard of such instructions, to modify on the recommendations of the Academic Council, the conditions of affiliation or recognition or taking such other steps as it deems necessary and proper in that behalf;
- (xxvi) to prepare a College Code laying down therein the terms and conditions of affiliation of colleges, schools and institutions;
- (xxvii) to call for reports, returns and other information from affiliated colleges, recognised institutions, schools or hostels;
- (xxviii) to supervise and control the admission, residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and general welfare;
- (xxix) to recommend to the Chancellor the conferment of honorary degree and academic distinctions in the manner prescribed by the Statutes;
- (xxx) to confer or withdraw degrees, diplomas, certificates and other academic distinctions in the manner prescribed by the Statutes;
- (xxxi) to institute fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (xxxii) save as otherwise provided by this Act, or the Statutes, to appoint teachers, officers and employees of the University, to define their duties and the conditions of their service and to provide for the filling up of temporary vacancies;
- (xxxiii) to regulate and enforce discipline among members of the teaching, administrative and ministerial staff of the University in accordance with the Statutes and Ordinances;
- (xxxiv) to recognise a member of the staff of an affiliated or recognised institution as a teacher of the University and withdraw such recognition;
- (xxxv) to fix remuneration of examiners and to arrange for the conduct of and publication of results of examinations and other tests;
- (xxxvi) to cancel any examination in the event of malpractices, partly or wholly and to take action against any person or institution found guilty of such malpractices including rustication of students;
- (xxxvii) to take disciplinary action against students enrolled in the University, including candidates for any examination;
- (xxxviii) to take disciplinary action against staff and persons appointed as invigilators;
- (xxxix) to fix, demand and receive such fees and other charges as may be prescribed by the Ordinances;
- (xl) to make, amend and cancel Ordinances;
- (xli) to accept, reject or return to the Academic Council for consideration, but not to amend, a Regulation framed by the Academic Council;

- (xlii) to entertain, adjudicate upon and, if deemed fit, to redress grievances of employees and students;
- (xliii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act;
- (xliv) to exercise all powers of the University not otherwise provided for in this Act or the Statutes and all other powers which are requisite to give effect to the provisions of this Act or the Statutes;
- (xlv) to delegate by Regulations any of its powers to the Vice-Chancellor, the Registrar or such other officer of the University or a committee appointed by it as it may deem fit.

26 (1) The Chancellor shall constitute a Finance Committee for the University, consisting of the following members, namely:-

**Finance
Committee.**

- (i) the Vice-Chancellor;
- (ii) the Registrar;
- (iii) the Finance Officer of the University;
- (iv) Secretaries incharge of Medical Education and Ayush Departments, Government of Madhya Pradesh or their nominees not below the rank of Deputy Secretary;
- (v) Secretary incharge of Finance Department, Government of Madhya Pradesh or his nominee not below the rank of Deputy Secretary.

(2) The Finance Committee shall control the finances of the University.

(3) Subjects to the provisions of this Act, the Statutes, Ordinances and Regulations made thereunder the Finance Committee shall exercise the powers and perform the functions as under:-

- (a) to review income and expenditure of the University;
- (b) to prepare the annual financial estimates of the University before the commencement of the financial year and place it before the Executive Council for approval and to advise amendment therein from time to time;
- (c) to sanction proposals and take decisions on the income and expenditure of the University;
- (d) to get the annual accounts and the annual audit of the University completed in time, and in the light of the audit report, order appropriate directions.

(4) Three members shall form the quorum out of which presence of Vice-Chancellor and one member either from clause (iv) or (v) of sub-section (1) shall be essential.

27. (1) The Academic Council shall be the academic body of the University consisting of the following members, namely:-

**Academic
Council.**

- (i) the Vice-Chancellor;
- (ii) the Rector;
- (iii) the Director, Medical Education, Government of Madhya Pradesh;

- (iv) the Commissioner/Director, Indian System of Medicine and Homeopathy, Government of Madhya Pradesh;
- (v) all Deans of Faculty;
- (vi) the Chairman of Board of Studies;
- (vii) all Heads of Department of the University;
- (viii) four Deans / Principals, two from affiliated colleges and two from affiliated schools to be nominated by the Vice-Chancellor, by rotation, according to seniority;
- (ix) two professors from affiliated colleges of the University to be nominated by the Vice-Chancellor, by rotation, according to seniority;
- (x) two Associate Professors / Readers from the University teaching departments amongst whom one shall be a lady teacher nominated by the Vice-Chancellor, by rotation, according to seniority.

(2) One-third of the members of the Academic Council shall form the quorum :

Provided that no quorum shall be necessary for adjourned meeting.

(3) The Academic Council shall have the powers to co-opt, as members, two persons having special knowledge or experience in the subject matter of any particular business which may come before the Council for consideration. The members so co-opted shall have all the rights of the members of the Council in regard to the transaction of the business in relation to which they may be co-opted.

(4) All the members of the Academic Council other than ex-officio members and members referred to in sub-section (3) shall hold office for a term of three years.

(5) The Registrar shall convene the meetings of the Academic Council in consultation with the Vice-Chancellor.

Powers and duties of the Academic Council

28. (1) The Academic Council shall, in addition to all other powers vested in it by this Act, the Statutes and Ordinances, have the following powers and perform the following duties, namely:-

- (i) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instruction, cooperative teaching among colleges maintained by or admitted to the privileges of the University, valuation of research or improvements in academic standards;
- (ii) to consider matters of general academic interest either on its own initiative or on a reference by a faculty or the Executive Council and to take appropriate action thereon;
- (iii) (a) to make proposals for allocating departments to the Board of Studies;
- (b) to assign fellows and its own members to the faculty;
- (iv) to make proposals for the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes and to make rules for their award;
- (v) to consider the application for admission of an educational institution to the privileges of the University :

Provided that no such applications shall be considered unless the institution has been approved by the Medical Council of India, Dental Council of India, Indian Nursing Council, Central Council of Homeopathy, Central Council of Indian Medicine or Paramedical Council or the Government of Madhya Pradesh, as the case may be;

- (vi) to prescribe qualifications for recognition of persons as teachers of the University and to accord such recognition;
- (vii) to make arrangements for the conduct of examinations and to appoint result committees or other persons or both, as it thinks fit, to prepare the results of examinations and report such results to the Executive Council for publications;
- (viii) to recognise persons eminent in any subject to guide research in that subject.

(2) The Academic Council may appoint a Standing Committee consisting of its members. The constitution, powers and functions of the said Standing Committee shall be determined by the Statutes.

29. (1) The University shall have one or more faculties as may be prescribed by the Statutes. **Faculties.**

(2) Each Faculty shall consist of a Dean and such other members and shall have such powers and perform such duties as may be prescribed by the Statutes.

(3) Each Faculty shall have such departments as may be assigned to it by the Ordinances.

(4) The Dean shall be appointed by the Chancellor on the recommendation of the Vice-Chancellor for a period of two years from amongst the professors of the University teaching department or schools of studies or college professors who are teachers in the said subject :

Provided that if there is no professor of the University teaching departments or schools of studies teaching the said subject, the Dean shall be appointed from amongst the professors of affiliated colleges who are teachers in the said subject;

(5) The Dean shall be the Chairman of the Faculty and shall be responsible for the due observance of the Statutes, the Ordinances and the Regulations relating to the Faculty and for the conduct and maintenance of standards of teaching and research.

(6) The Dean shall have the right to be present and to speak at any meeting of any Boards of Studies of the Faculty but shall not have the right to vote thereat.

30. (1) There shall be a Board of Studies for every subject or group of subjects for degree and diploma courses as prescribed by the Statutes. **Board of Studies.**

(2) Each Board shall consist of such persons as may be prescribed by the Statutes.

31. The Board of Studies shall have such powers and perform such functions as may be prescribed by the Statutes. **Powers and functions of the Board of Studies.**

32. (1) The Academic Planning and Evaluation Board shall consist of the following members, namely:- **Academic Planning and Evaluation Board**

- (i) the Vice-Chancellor Chairman;
- (ii) the Rector Member;
- (iii) all Deans of Faculty Member;

- | | | |
|-------|--|---------|
| (iv) | three Heads of University Departments and
Schools of Studies nominated by the Vice-Chancellor | Member; |
| (v) | three college professors nominated by the Vice-Chancellor | Member; |
| (vi) | three scholars of repute not connected with the University
nominated by the Chancellor; | Member; |
| (vii) | three Heads of Department nominated by the Vice-Chancellor | Member. |
- (2) One-third of the members of the Board shall form a quorum.
- (3) The term of the Academic Planning and Evaluation Board shall be three years.
- (4) The Academic Planning and Evaluation Board shall have the following powers and perform the following duties, namely:-
- (i) to prepare the short-term and long-term plan of the University;
 - (ii) to consider and forward to the Executive Council with its recommendations the research projects and academic programmes proposed by the Faculties and to bring about inter-faculty co-ordination for taking up projects on inter-faculty basis;
 - (iii) to suggest new academic programmes of the Faculties and to do academic evaluation of affiliated colleges and schools and institutions of the University from time to time;
 - (iv) to make proposals for the establishment of departments, institutions of research and specialized studies, laboratories and museums;
 - (v) to make proposals for the institution of teaching posts and for prescribing the duties of such posts.
 - (vi) to evaluate from time to time the working of the University teaching departments and schools of studies;
 - (vii) to evaluate periodically the progress of the plan.

Other Boards.

33. (1) There shall be such other Boards in the University as may be prescribed by the statutes.

(2) The constitution, term, powers and duties of the Boards constituted under sub-section (1) shall be such as may be prescribed by the Statutes.

**CHAPTER V
FINANCES**

University Fund.

34. (1) The University shall establish a fund to be called the University fund.

(2) The following shall form part of, or be paid into the University fund:-

- (a) any rent, contribution or grant by Central or State Government or any body corporate;
- (b) trusts, bequests, donations, endowments and other grants, if any;
- (c) the income of the University from all sources including income from fees and charges;
- (d) all other sums received by the University.

(3) The University Fund shall be kept in any Scheduled Bank as defined in the Reserve Bank of India Act, 1934 (No. 2 of 1934) or invested in securities authorized by the Indian Trusts Act, 1882 (No. 1 of 1882), at the discretion of the Executive Council.

(4) Nothing in this section shall, in any way, affect any obligations accepted by or imposed upon the University by any declaration of trust executed by or on behalf of the University for the administration of any trust.

35. (1) The University Fund shall be applicable to the following objects and in the following order:-

**Objects to which
the University
Fund may be
applied.**

- (a) to the repayment of debts incurred by the University for the purpose of this Act and the Statutes, Ordinances and Regulations made thereunder;
- (b) to the upkeep of colleges, teaching departments and schools of studies established by the University, residences and hostels;
- (c) to the payment of the cost of audit of the University Fund;
- (d) to the expenses of any suit or proceedings to which University is a party;
- (e) to the payment of salaries and allowances of the officers and employees of the University, members of the teaching staff and the establishment employed in the colleges maintained by the University for and in furtherance of the purposes of this Act, and the Statutes, Ordinances and Regulations made thereunder and to the payment of any Provident Fund contributions, gratuity and other benefits to any such officers and employees, members of the teaching staff or the members of such establishment;
- (f) to the payment of the traveling and other allowances of the members of the Executive Council, the Academic Council and any other authorities of the University or the members of any Committee or Board appointed by any of the authorities of the University in pursuance of any provision of this Act, and the Statutes, Ordinances and Regulations made thereunder;
- (g) to the payment of fellowships, scholarships, studentships and other awards to students;
- (h) to the payment of any expenses incurred by the University in carrying out the provisions of this Act, and the Statutes, Ordinances and the Regulations made thereunder;
- (i) to the payment of any other expenses not specified in any of the preceding clauses declared by the Executive Council to be the expenses for the purpose of the University.

(2) No expenditure shall be incurred by the University in excess of the limits for total recurring expenditure and total non-recurring expenditure for the year fixed by the Executive Council without the previous approval of the Executive Council.

(3) No expenditure other than that provided for in the budget shall be incurred by the University without the previous approval of the Executive Council.

CHAPTER VI
STATUTES, ORDINANCES AND REGULATIONS

Statutes.

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

- (a) constitution, powers and duties of such bodies as may be deemed necessary to be constituted from time to time;
- (b) manner of election or appointment and the term of office of the members of the bodies referred to in clause (a) including the continuance in the office of the first members, and filling of vacancies of the members and all other matters relating to those bodies for which it may be necessary or desirable to provide;
- (c) powers and duties of the Vice-Chancellor;
- (d) term of office, powers and duties of the Rector;
- (e) powers and duties of the Registrar, the Dean of Students Welfare and the Controller of Examinations and the powers and duties of other officers and employees of the University and the conditions of their service;
- (f) constitution of a pension or Provident Fund and the establishment of an insurance scheme and provision of gratuity and other benefits for the benefit of the employees of the University;
- (g) holding of convocation to confer degrees;
- (h) conferment of honorary degrees;
- (i) withdrawal of degrees, diplomas, certificates and other academic distinctions;
- (j) establishment and abolition of faculties, hostels, teaching departments, schools of studies, colleges and schools and institutions maintained by the University;
- (k) conditions under which colleges, schools and institutions may be admitted to the privileges of the University and withdrawal of such privileges;
- (l) extent of the autonomy which the teaching departments of the University, schools of studies or colleges or schools and institutions may have and the matters in relation to which such autonomy may be exercised;
- (m) qualifications of Professors, Associate Professors, Readers, Assistant Professors, Lecturers and other teachers in affiliated colleges and recognised institutions;
- (n) administration of endowments and the institution of fellowships, scholarships, studentships, exhibitions, bursaries, medals, prizes and other awards;
- (o) emoluments and terms and conditions of service of the officers and the emoluments and terms and conditions of service other than pay scales of teachers of the University paid by the University;
- (p) mode of determining seniority of Deans, Principals, teachers and employees for the purpose of this Act;
- (q) maintenance of a register of registered graduates;

- (r) establishment and constitution of Bureau for Publications; and
- (s) all other matters which, by this Act, are to be provided for by Statutes.

37. (1) The first Statutes with regard to matters set out in section 36 shall be made by the State Government and a copy thereof shall be laid on the table of the Legislative Assembly.

Statutes how made.

(2) The Executive Council may from time to time make new or additional Statutes and may amend or repeal the Statutes in the manner hereinafter in this section provided.

(3) The Academic Council may propose to the Executive Council the draft of any new Statute or amendment of any existing Statutes to be passed by the Executive Council and such draft shall be considered by the Executive Council at its next meeting :

Provided that the Academic Council shall not propose the draft of any Statutes or of any amendment of a Statute affecting the status, power or constitution of any existing authority of the University until such authority has been given an opportunity to express its opinion upon the proposal and any opinion so expressed shall be considered by the Executive Council.

(4) The Executive Council may approve any such draft as is referred to in sub-section (3) and pass the Statute or reject it or return it to the Academic Council for reconsideration either in whole or in part, together with any amendment which it may suggest.

(5) Any member of the Executive Council may propose to the Executive Council the draft of any new Statute or amendment to existing Statute and the Executive Council may either accept or reject the proposal if it relates to a matter not falling within the purview of the Academic Council. In case such draft relates to a matter within the purview of the Academic Council, the Executive Council shall refer it for consideration to the Academic Council, which may either report to the Executive Council that it does not approve the proposal, which shall then be deemed to have been rejected by the Executive Council or submit the draft to the Executive Council in such form as the Academic Council may approve and the provisions of this section shall apply in the case of draft so submitted as they apply in the case of a draft proposed to the Executive Council by the Academic Council.

(6) The new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the previous approval of the Chancellor who may sanction, disallow or remit it for further consideration.

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

Ordinances.

- (i) admission of students to colleges, teaching departments, schools of studies and laboratories and levy of fees and their enrolment;
- (ii) degrees, diplomas, certificates and other academic distinctions to be awarded by the University and the qualifications for the same;
- (iii) examinations leading to the degrees, diplomas and certificates of the University;
- (iv) fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;
- (v) laying down conditions for appearing at examinations for degrees, diplomas, certificates and other academic distinctions;
- (vi) conduct of examinations;

- (vii) conditions of award of fellowships, scholarships, studentships, exhibitions, medals and prizes etc;
- (viii) maintenance of discipline amongst the students of the University;
- (ix) conditions of residence of the students of teaching departments and schools of studies and the levy of fees for residence in hostels;
- (x) recognition and inspection of hostels;
- (xi) special arrangements if any which may be made for the residence, discipline and teaching of woman students and prescribing for them special courses of study;
- (xii) giving of moral instruction;
- (xiii) management of colleges, schools and other institutions founded or maintained by the University;
- (xiv) supervision and inspection of colleges, schools and other institutions admitted to the privileges of the University;
- (xv) duties, qualifications and conditions of appointment including pay scales of teachers of the University paid by the University;
- (xvi) duties and powers of the Board and Committees to be appointed by the University jointly with any other University or body;
- (xvii) rules to be observed and enforced by affiliated colleges, schools and recognised institutions in respect of transfer of students;
- (xviii) register of students to be kept by affiliated colleges, schools and recognised institutions;
- (xix) mode of execution of contracts or agreements by or on behalf of the University;
- (xx) rates at which traveling allowance and daily allowance shall be admissible to the members of authorities, committees and other bodies of the University, the examiners, the officers and staff of the University;
- (xxi) constitution of students union and mode of election thereto; and
- (xxii) all other matters which, by this Act or the Statutes, are to be or, may be provided for by the Ordinances :

Provided that an Ordinance under item (xv) shall be subject to the provision of section 49.

Ordinances how made.

39. (1) All Ordinances shall be made by the Executive Council.

(2) An Ordinance made by the Executive Council shall come into force from the date on which it is approved by the Chancellor.

Procedure regarding Ordinances.

40. (1) Notwithstanding anything contained in sub-section (1) of section 38, no Ordinance shall be made by the Executive Council-

- (a) affecting the admission of students or prescribing examinations to be recognised as equivalent to the University examinations or further qualifications mentioned in sub-section (1) of section 42 for admission to the degree or diploma courses of the University unless a draft of the same has been proposed by the Academic Council; or

- (b) affecting conditions and duties of examiners and the conduct or standard of examinations except in accordance with a proposal of the Faculty or Faculties concerned and unless a draft of such Ordinance has been proposed by the Academic Council; or
- (c) affecting the qualifications and emoluments of teachers of the University paid by the University, unless a draft of the same has been proposed by the Academic Council.

(2) The Executive Council shall not have powers to amend any draft proposed by the Academic Council under sub-section (1) but may reject the proposal or return the draft to the Academic Council, for reconsideration, either in whole or in part, together with any amendment which the Executive Council may suggest.

(3) After any draft returned under sub-section(2) has been further considered by the Academic Council together with any amendment suggested by the Executive Council it shall be again presented to the Executive Council with a report of the Academic Council thereon and the Executive Council may then deal with the draft in such manner as it may think fit.

(4) Where the Executive Council has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may appeal to the Chancellor and the Chancellor may direct that such Ordinance shall have effect from such date as may be specified in the direction.

41.(1) The authorities, committees and other bodies of University constituted by or under this Act may make regulations, subject to the provisions of this Act, the Statutes and the Ordinances-

Regulations.

- (a) laying down the procedure to be observed at their meeting and the number of members required to form a quorum :

Provided that until Regulations providing for quorum are made, the quorum to constitute a meeting of any authority, committee or other body of the University shall be the number forming the majority of the members constituting such authority, committee or other body of the University for the time being;

- (b) providing for all matters which, by this Act, the Statutes or the Ordinances, are to be prescribed by Regulations; and
- (c) providing for all other matters solely concerning such authority, or other body or the committees appointed by them and not provided for by this Act, the Statutes or the Ordinances.

(2) Every authority, committee and body of the University shall make regulations providing for the giving of notice to the members of such authority, committee or body of the date of meeting and of the business to be considered at meeting and for keeping the minutes of the meeting.

(3) The Executive Council can modify or annul any Regulations made under this section by any authority, committee or body, other than the Court :

Provided that any authority, committee or body of the University which is not satisfied with any modification or annulment may appeal to the Chancellor whose decision in this matter shall be final.

CHAPTER VII
ENROLMENT, DEGREES, ETC.

Admission to University courses.

42. (1) Students shall not be eligible for admission to a course of study for a degree or diploma unless they have passed the final examination held under the Madhya Pradesh Madhyamik Shiksha Adhiniyam, 1965 (No. 23 of 1965), or an examination recognised in accordance with the provisions of this section as equivalent thereto and possess such further qualifications as may be prescribed by the Ordinances.

(2) The University may with the previous sanction of the State Government, recognize for the purposes of admission to a course or study for a degree or diploma as equivalent to its own degrees or diplomas and any degree or diploma conferred by any other university or Board as equivalent to the final examination held under the Madhya Pradesh Madhyamik Shiksha Adhiniyam, 1965 (No. 23 of 1965), or any other examination.

(3) No student shall be admitted to a course of study leading upto a degree unless he is enrolled as a student in a college, school, institution, teaching department or school of studies.

Appointment of examiners and moderators.

43. (1) Subject to the provisions of the Statutes, all examiners and moderators of examination questions shall be appointed by the Vice-Chancellor in consultation with a committee consisting of the following members:-

- (i) the Dean of the Faculty concerned who shall be the Chairman of the committee;
- (ii) the Chairman of the Board of Studies concerned;
- (iii) a member of the Board of Studies concerned to be nominated for the purpose by the Vice-Chancellor.

(2) If during the course of an examination, an examiner becomes for any cause, incapable of acting as such, the Vice-Chancellor shall appoint any other examiner to fill the vacancy.

Inspection of colleges and schools and reports

44. (1) Every college or school shall furnish such reports, returns and other information as the Executive Council, after obtaining the opinion of the Academic Council, may require to enable it to judge the efficiency of the college or school.

(2) The Executive Council shall cause such college, school or institution to be inspected from time to time by one or more competent persons authorized by the Executive Council in this behalf.

(3) The Executive Council may call upon any such college, school or institution so inspected to take within a specified period, such action as appears to it to be necessary.

Registered graduates and diploma holders.

45. Only graduates or diploma holders of the University shall, on payment of such fees as may be prescribed by the Statutes, be entitled to have their names enrolled in the Register of registered graduates and diploma holders, to be maintained in such form as may be prescribed by the Statutes.

CHAPTER VIII
AUDIT

Annual Reports.

46. The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or before such date as may be prescribed by the Statutes and shall be considered by the Court at its annual meeting. The Court may pass resolution thereon and communicate the same to the Executive Council. The University shall, thereafter send

a copy of the annual report to the State Government and the State Government shall, as soon as may be, cause the same to be laid on the table of the Legislative Assembly.

47. (1) The Accounts of the University shall at least once every year at intervals of not more than fifteen months be audited by the Examiner of Local Fund Accounts of the State.

**Audit of
Accounts.**

(2) The copies of the audited accounts together with the audit report shall be submitted by the Executive Council to the Court and the State Government. The State Government shall, as soon as may be, cause the same to be laid on the table of the Legislative Assembly.

CHAPTER IX APPOINTMENT TO TEACHING POSTS IN THE UNIVERSITY

48. (1) No person shall be appointed-

**Appointment to
teaching posts.**

- (i) as a Professor, Associate Professor, Reader, Assistant Professor or Lecturer, or
- (ii) to any other teaching post of the University paid by the University

except on the recommendation of a committee of selection constituted in accordance with sub-section (2) :

Provided that if appointment to any of the teaching posts aforesaid is not expected to continue for more than six months and cannot be delayed without detriment to the interest of the department or institution maintained by the University, the Executive Council may make such appointment without obtaining the recommendation of the committee of selection constituted under sub-section (2) but the person so appointed shall not be retained on the same post for a period exceeding six months or appointed to another post in the service of the University except on the recommendation of the said committee of selection.

(2) The members of the committee of selection shall be-

- (i) the Vice-Chancellor, who shall be the Chairman;
- (ii) one expert to be nominated by the Chancellor from a panel submitted by the Academic Council of three experts in the subject, not connected with the University in any manner whatsoever;
- (iii) three subject experts not connected with the University in any manner whatsoever, to be nominated by the Chancellor :

Provided that at least one of the three experts shall be nominated from the Scheduled Tribes, Scheduled Castes or Other Backward Classes and in case of non-availability of an expert from these categories, one Administrative Officer not below the rank of Divisional Commissioner, who belongs to these categories shall be nominated;

- (iv) the Secretary of Medical Education Department or Ayush Department, Government of Madhya Pradesh, as the case may be, or his nominee.

(3) Three members of the committee of selection shall form the quorum.

(4) The committee shall investigate the merits of the various candidates and shall recommend to the Executive Council the names, if any, of persons whom it considers suitable for the posts, arranged in order of merit :

Provided that no recommendation shall be made, unless at least two experts nominated under clause (iii) of sub-section (2) are present in the meeting in which such recommendation is to be decided upon.

(5) Out of the names so recommended under sub-section (4), the Executive Council shall appoint persons in order of merit.

Salaries of teachers paid by the University.

49. The payment of the salaries to the teacher of the University paid by the University shall be in accordance with scales fixed by the Executive Council by Ordinance with the prior approval of the State Government.

CHAPTER X EMERGENCY PROVISIONS

State Government to assume financial control in certain circumstances.

50. (1) If the State Government is satisfied that owing to maladministration 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 finances of the University shall be subject to the control of the State Government.

(2) Every notification issued under sub-section (1) shall, in the first instance, remain in operation for a period of one year from the date specified in the notification and the State Government may, from time to time, by a like notification, extend the period of operation by such further period as it may think fit, provided that the total period of operation does not exceed three years.

(3) During the period the notification issued under sub-section (1) remains in operation, the executive authority of the State Government shall extend to giving of directions to the University to observe such canons of financial propriety as may be specified in the direction and to giving of such other directions as the State Government may deem necessary and adequate for the purpose.

(4) Notwithstanding anything contained in this Act, any such direction may include:-

- (i) a provision requiring, the submission of the budget to the State Government for sanction;
- (ii) a provision requiring the University to submit every proposal involving financial implications to the State Government for sanction;
- (iii) a provision requiring the submission of every proposal for revision of scales of pay and rates of allowances of the officers, teachers and other persons employed by the University to the State Government for sanction;
- (iv) a provision requiring the reduction of salaries and allowances of all or any class of persons employed by the University;
- (v) a provision requiring the reduction in the number of officers, teachers and other persons employed by the University;
- (vi) a provision requiring the lowering down of scales of pay and rates of allowances; and
- (vii) a provision in regard to such other matters as may have the effect of reducing the financial strain on the University.

(5) Notwithstanding anything contained in this Act, it shall be binding on every authority of the University and every officer of the University to give effect to the direction given under this section.

(6) Every officer of the University shall be personally liable for misapplication of any fund or property of the University as a result of non-compliance of the direction given under this section to which he shall have been a party or which shall have happened through or been facilitated by gross neglect of his duty as such officer, and the loss so incurred shall, on a certificate issued by the Secretary to Government of Madhya Pradesh, Medical Education Department, be recovered from such officer as arrears of land revenue :

Provided that no action to recover the amount of loss as arrears of land revenue shall be taken until reasonable opportunity has been given to the person concerned to furnish an explanation and such explanation has been considered by the State Government.

51. (1) If the State Government, on receipt of a report or otherwise, is satisfied that a situation has arisen in which the administration of the University cannot be carried out in accordance with the provisions of this Act, without detriment to the interests of the University and it is expedient in the interest of the University so to do, it may, by notification, for reasons to be mentioned therein, direct that the provisions of Sections 12, 13, 21 to 25, 27 and 41 shall, as from the date specified in the notification (hereinafter in this section referred to as the "appointed date"), apply to the University subject to the modifications specified in the Schedule.

Power of State Government to apply Act in modified form with a view to provide for better administration of the University in certain circumstances.

(2) The notification issued under sub-section (1) (hereinafter referred to as "the notification") shall remain in operation for a period of twelve months from the appointed date and the State Government may, from time to time, extend the period by such further period as it may think fit so however that the total period of operation of the notification does not exceed one year.

(3) As from the appointed date, the following consequences shall ensue, namely:—

- (i) during the period of operation of the notification this Act shall have effect subject to the modifications specified in the Schedule;
- (ii) the Vice-Chancellor holding office immediately before the appointed date, shall, notwithstanding that his term of office has not expired, vacate his office;
- (iii) every person holding office as member of the Court, the Executive Council or the Academic Council, as the case may be, immediately before the appointed date shall cease to hold that office;
- (iv) until the Court, the Executive Council or the Academic Council, as the case may be, is reconstituted in accordance with the provisions as modified, the Vice-Chancellor appointed under Section 12 and 13 as modified, shall exercise the powers and perform the duties conferred or imposed by or under this Act, on the Court, the Executive Council or Academic Council :

Provided that the Chancellor may, if he considers it necessary so to do, appoint a committee consisting of an educationist, an administrative expert and a financial expert to assist the Vice-Chancellor, so appointed in exercise of such powers and performance of such duties.

(4) The Chancellor shall simultaneously with the issue of the notification appoint the Vice-Chancellor under Sections 12 and 13 as modified and the Vice-Chancellor so appointed shall hold office during the period of operation of the notification :

Provided that the Vice-Chancellor may notwithstanding the expiration of the period of operation of the notification, continue to hold office thereafter until his successor enters upon office but this period shall not exceed one year.

(5) Before the expiration of the period of operation of the notification or immediately as early as practicable thereafter, the Vice-Chancellor shall take steps to constitute the Court, Executive Council and Academic Council in accordance with the provisions of the Act, as unmodified and the Court, Executive Council and Academic Council so constituted shall begin to function on the date immediately following the date of expiry to the period of operation of the notification or the date on which the respective bodies are so constituted, whichever is later :

Provided that if the Court, Executive Council and Academic Council are not constituted before the expiration of the period of operation of the notification, the Vice-Chancellor shall on such expiration, exercise the powers of each of these authorities subject to prior approval of the Chancellor till the Court, Executive Council or Academic Council, as the case may be, is so constituted.

Effect on expiration of the period of operation of notification under section 51.

52. On expiration of the period of operation of the notification issued under section 51, the provisions of this Act, as modified in application to the University mentioned in the notification shall cease to operate in respect thereof and the other relevant provisions of this Act shall revive and continue to apply thereto:

Provided that the expiration of the operation of the notification shall not affect —

- (a) previous operation of or anything done or suffered under the provisions as modified or any order made thereunder; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the provisions as modified or any order made thereunder; or
- (c) any investigation or remedy in respect of any such right, privilege, obligation or liability as aforesaid, and such investigation or remedy may be instituted or enforced as if the modified provisions had not ceased to apply.

CHAPTER XI SUPPLEMENTARY PROVISIONS

Disputes as to constitution of the University authorities and bodies.

53. If any question arises regarding the interpretation of any provision of this Act or any Statutes, Ordinances or Regulations or as to whether any person has been duly elected, appointed as or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to Chancellor whose decision thereon shall be final :

Provided that before taking any such decision the Chancellor himself or an officer nominated by him shall give the person or persons affected thereby a reasonable opportunity of being heard.

Explanation.— In this section, the expression—

- (a) “body” includes any committee constituted by or under this Act;
- (b) “appointed” does not include appointments to the salaried posts of the University.

Constitution of committees.

54. Where any authority of the University is given power by this Act, or the Statutes to appoint committees, such committees shall, save as otherwise provided, consist of members of the authority concerned and of such other persons, if any, as the authority in each case may think fit.

Filling of casual vacancies.

55. Save as otherwise provided in this Act, all casual vacancies among the members other than ex-officio members of any authority, committee or other body of the University shall be filled, as soon as conveniently may be, by the persons or the body who nominated, appointed, elected or co-opted the member whose place has become vacant and the person nominated, appointed,

elected or co-opted to a casual vacancy shall be a member of such authority, committee or body for the remainder term for which the person whose place he fills would have been a member.

56. No act or proceeding of any authority, committee or body of the University shall be invalid merely by reason of—

- (a) any vacancy in or defect in the constitution thereof; or
- (b) any defect in the election, nomination or appointment of a person acting as a member thereto; or
- (c) any irregularity in its procedure not affecting the merits of the case.

Proceedings of the University and bodies not invalidated by vacancies.

57. (1) Every salaried officer and teacher of the University paid by the University shall be appointed under a written contract which shall be lodged with the University and a copy thereof furnished to the officer or teacher concerned.

Conditions of service.

(2) Any dispute regarding service matters arising out of contract or otherwise between the University and any of its salaried employees shall be adjudicated upon by the Vice-Chancellor and an appeal against the Vice-Chancellor's decision shall lie to the Chancellor, who shall decide the dispute himself or refer it to a tribunal constituted for the purpose consisting of the following members, namely:

- (i) a Vice-Chancellor of any of the university of the State;
- (ii) the Secretary to Government of Madhya Pradesh in charge of Medical Education Department or Ayush Department;
- (iii) the Director, Medical Education Madhya Pradesh or Director Indian System of Medicine and Homeopathy.

58. The University shall constitute for the benefit of its officers, teachers, clerical staff and other employees in such manner and subject to such conditions as may be prescribed by the Statutes such pension, insurance and provident fund and institute such other benefits as it may deem fit.

Pension and Provident Fund.

59. No suit, prosecution or other legal proceedings shall lie against any officer, teacher or other employee of the University for anything which is in good faith done or intended to be done by him under this Act, or the Statutes, Ordinances or Regulations.

Protection of action taken in good faith.

60. No person shall impart instruction in the University or any college—

- (a) unless such person possesses the qualifications laid-down by the Academic Council in that behalf; and
- (b) except in such subject or subjects and upto the standard for which his qualifications have been approved by the Academic Council.

Approval for imparting instruction.

61. (1) Professors, Associate Professors, Readers, Assistant Professors, Lecturers and Heads of Department in colleges, schools and institutions fulfilling the academic and other qualifications and conditions of experience laid down by the Medical Council of India, the Dental Council of India, the Indian Nursing Council, the Central Council of Indian Medicine, the Central Council of Homeopathy or the Paramedical Council, as the case may be, and drawing pay in the pay scales approved by the concerning Council or approved by the State Government shall be recognised as Professors, Associate Professors, Readers, Assistant Professors, Lecturers and Heads of Department respectively by the University. Deans / Principals of colleges with a minimum of 15 years teaching experience of graduate / post graduate degree level in concerned subjects and drawing salary of the Dean / Principal approved by the State Government shall be recognised as professor by the University.

Classification of teachers.

(2) "Visiting Professor" means a professor invited by the Executive Council for a short term of not more than 6 months as stipulated in the contract.

(3) A teacher who is appointed on part time basis in any institution shall not be given recognition by the University.

Terms of office of members of authorities of the University.

62. (1) Wherever in accordance with this Act, any person is to hold an office or to be a member of any authority, by rotation according to seniority, such seniority in the absence of any provisions to the contrary in the Act, shall be determined in accordance with the Statutes :

Provided that till Statutes are made the seniority in particular cadre shall be determined by the length of continuous service in such a cadre and where the length of continuous service of two or more persons in the same cadre is the same, then seniority shall be determined by seniority in age.

(2) Wherever any person becomes a member of any authority by virtue of the post or office held by him or by virtue of possessing a specified qualification, he shall forthwith cease to be a member of such authority if he ceases to hold such post or office or if he ceases to possess such qualification before the expiry of the term of his membership :

Provided that he shall not be deemed to have ceased to hold his post or office merely by reason of his proceeding on leave for a period not exceeding four months.

Resignation of member or officer of the University.

63. (1) Any member, other than an ex-officio member of the Court, the Executive Council, the Academic Council, or any other University authority or committee or Dean of a Faculty, may resign by a letter addressed to the Registrar, and the resignation shall take effect as soon as the letter is received by the Registrar.

(2) Any officer of the University, whether salaried or otherwise, other than a Dean may resign his office by a letter addressed to the Registrar. Such resignation shall take effect from the date on which the same is accepted by the authority competent to fill the vacancy.

Disqualifications for being member of authority.

64. (1) A person shall be disqualified for being chosen as, and for being a member of any of the authorities of the University-

(a) if he is of unsound mind; or

(b) if he is an undischarged insolvent; or

(c) if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months.

(2) If any question arises as to whether a person is or has been subject to any of the disqualifications mentioned in sub-section (1), the question shall be referred for the decision of the Chancellor and his decision thereon shall be final and no suit or other proceeding shall lie in any court of law against such decision.

Power to remove member from Register of registered graduates and diploma holders or any authority or body of the University

65. (1) The Chancellor may on the request of the Executive Council, remove the name of any person from the Register of registered graduates and diploma holders and remove the name of any person from membership of any authority or body of the University, if :-

(i) he is guilty of gross misbehavior; and

(ii) he acts prejudicial to the interest of the University :

Provided that the Chancellor shall cause a preliminary enquiry to be made and if he is satisfied that prima facie case exists, he shall serve on such registered graduate or diploma holder or a member of any authority or body, as the case may be, a charge-sheet, in writing, stating the misbehaviour or the act prejudicial to the interest of the University, as the case may be.

(2) After taking into consideration the reply to the charge sheet submitted to him by the registered graduate or diploma holder or the member of the authority or body of the University, as the case may be, under sub-section (1), the Chancellor may, if he considers that further action is necessary, entrust the enquiry to a Tribunal consisting of a nominee of the Chancellor, a nominee of the Executive Council and a nominee of the accused registered graduate or diploma holder or the member, as the case may be.

(3) The Tribunal shall after giving the accused registered graduate or diploma holder or the member, as the case may be, an opportunity of being heard and examining such evidence as may be necessary, record its findings and forward it to the Chancellor.

(4) The Chancellor may, after considering the report of the Tribunal, pass such final orders as he considers necessary:

Provided that no order shall be passed unless the accused registered graduate or diploma holder or the member, as the case may be, has been given a reasonable opportunity to show cause as to why the proposed action should not be taken against him.

(5) The provisions of sub-section (1) to (4) shall not apply where the Chancellor is satisfied that in the interest of the University it is not expedient to hold such enquiry and to issue any show cause notice or to give an opportunity of being heard to any member nominated by him before the removal of such member.

66. If any difficulty arises as to the first constitution or reconstitution of any authority of the University after commencement of this Act, or otherwise in giving effect to the provisions of this Act, the State Government, as occasion may require, may by order do anything which appears to it necessary for the purpose of removing the difficulty.

Removal of difficulties.

THE SCHEDULE [See section 51]

1. Section 12 and 13-For Section 12 and 13 substitute:

“13. Vice-Chancellor shall be appointed by the Chancellor in consultation with the State Government and may be removed by the Chancellor in the like manner.”

Appointment of Vice-Chancellor

2. Section 21, 22, 23 and 24- For section 21, 22, 23 and 24 substitute:

“21. (1) The Court shall consist of the following:

Constitution of Court.

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Rector;
- (iv) the Secretaries to the Government of Madhya Pradesh, Medical Education and Ayush Departments;
- (v) the Director of Medical Education, Government of Madhya Pradesh;
- (vi) the Commissioner / Director, Indian System of Medicine and Homeopathy, Government of Madhya Pradesh;
- (vii) Dean Students Welfare;
- (viii) five members including not more than two representatives of students to be nominated by the State Government;
- (ix) two representatives of the Legislative Assembly to be elected by the Legislative Assembly from amongst its members and pending such election to be nominated by the Speaker.

(2) The term of all members of the Court other than representatives of students under clause (viii) of sub-section (1) shall be co-extensive with the period of operation of the notification issued under section 51 and the term of the representatives of students shall be one year from the date of their nomination or till the expiration of the period of operation of the notification, whichever is earlier.

Explanation.-For the purpose of clause (viii) of sub-section (1) the expression “student” shall have the meaning assigned to that expression in explanation (iii) under sub-section (1) of section 21 as unmodified.”.

Meetings of Court and quorum thereat.

“22. (1) The Court shall, on a date fixed by the Vice-Chancellor, meet once a year.

(2) The Vice-Chancellor may, whenever he thinks fit, and shall upon a requisition in writing signed by not less than one third of the members of the Court convene a special meeting of the Court as early as possible.

(3) Seven members of the Court shall form a quorum.”

Powers and duties of the Court.

“23. The Court shall be an advisory body and shall:-

- (a) advise the State Government in respect of such matters as may be referred to it for advice;
- (b) advise any authority or body of the University in respect of such matters as may be referred to it by such authority or body;
- (c) to confer degrees, diplomas and other academic distinctions on the recommendation of the Executive Council;
- (d) perform such other duties and exercise such other powers as may be assigned to it by or under this Act or the Statutes or Ordinances made thereunder or by the State Government.”

Executive Council.

“24. (1) Subject to the Control of the State Government, the Executive Council shall be the executive body of the University and shall notwithstanding anything contained in this Act, consist only of the following persons, namely :-

- (i) the Vice-Chancellor;
- (ii) the Rector;
- (iii) the Secretaries in charge of Medical Education and Ayush Departments, Government of Madhya Pradesh or their representatives not below the rank of Deputy Secretary;
- (iv) Director of Medical Education, Government of Madhya Pradesh;
- (v) Commissioner / Director, Indian System of Medicine and Homeopathy, Government of Madhya Pradesh;
- (vi) two members to be nominated by the Chancellor from amongst eminent public men and educationists.

(2) The term of all members of the Executive Council shall be co-extensive with the period of operation of the notification issued under section 51.

(3) Four members of the Executive Council shall form a quorum.”

3. Section 25- Renumber section 25 as sub-section (1) thereof and after sub-section (1) as so renumbered insert:

Powers and duties of the Executive Council.

“(2) The Executive Council shall, in exercise of the powers and performance of duties under sub-section (1), be subject to the control of the State Government.

(3) Notwithstanding anything contained in this Act the annual accounts and the financial estimates shall be considered by the State Government who may communicate its views to the Executive Council which shall take them into consideration and take such action thereon as it thinks fit and inform the State Government when no action is taken, of its reasons thereof.”

4. Section 27-For section 27 substitute:

“27. (1) The Academic Council shall be the academic body of the University consisting of the following members, namely: **Academic Council.**

- (i) the Vice-Chancellor;
- (ii) the Rector ;
- (iii) the Director of Medical Education, Government of Madhya Pradesh;
- (iv) the Commissioner/Director, Indian System of Medicine and Homeopathy, Government of Madhya Pradesh;
- (v) All Deans of faculty;
- (vi) the Chairman of the Board of Studies;
- (vii) all Heads of Department of the University;
- (viii) seven teachers to be nominated by the Chancellor.

(2) The term of the nominated members of the Academic Council shall be co-extensive with the period of operation of the notification issued under section 51.

(3) Seven members of the Academic Council shall form a quorum.”

5. Section 41- In Section 41 for sub-section (3), substitute:

Regulations.

“(3) Subject to the control of the State Government, the Executive Council may modify or annul any Regulation made under this section by an authority, committee or body.”

STATEMENT OF OBJECTS AND REASONS

There has been a large scale expansion of health education in the State during the past decade. A large number of institutions imparting education in Medical, Dental, Ayurved, Unani, Homoeopathy, Nursing, Yoga, Naturopathy, Siddh and Paramedical Sciences have been established in the State. In order to ensure uniformity of standards of teaching, training and research in health sciences, it is proposed to establish a Medical University in the State by enacting a law.

2. Hence this Bill.

BHOPAL :

MAHENDRA HARDIYA

DATED, THE 29th March, 2011.

Member-In-Charge.