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LEGISLATIVE SUPPLEMENT

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PART - I**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 9th May, 2018

No. Leg. 23/2018.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 27th March, 2018 and is hereby published for general information:-

HARYANA ACT NO. 20 OF 2018**MAHARISHI BALMIKI SANSKRIT UNIVERSITY,****KAITHAL ACT, 2018**

AN

ACT

to establish and incorporate a teaching-cum-affiliating University at Kaithal to facilitate and promote higher education with special emphasis in Sanskrit Literature, Vedas, Philosophy, Indian Culture and Indic Languages and also to achieve excellence in these and connected fields.

Be it enacted by the Legislature of the State of Haryana in the Sixty-ninth Year of the Republic of India as follows:-

1. (1) This Act may be called Maharishi Balmiki Sanskrit University, Kaithal Act, 2018. Short title and commencement.
- (2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.
2. In this Act and in all Statutes, Ordinances and Regulations made thereunder, unless the context otherwise requires,- Definitions.
 - (a) "college" means a college maintained by, affiliated by or admitted to the privileges of, the University under this Act;
 - (b) "employee" means any person appointed by the University, and includes teachers and all other staff of the University;
 - (c) "Government" means the Government of the State of Haryana;
 - (d) "institution" means an academic institution, not being a college, maintained by, or admitted to the privilege of the University;
 - (e) "Indic language" means the language from different parts of India such as Dravidian etc.;
 - (f) "principal" means the head of a college, and includes, when there is no principal, a vice-principal duly appointed as such and in the absence of the principal or the vice-principal the person for the time being duly appointed to act as the principal;
 - (g) "recognised teachers" mean such persons as are approved by the University for the purpose of imparting instruction in a college or an institution admitted to the privileges of the University;
 - (h) "Statutes", "Ordinances" and "Regulations" mean respectively the Statutes, Ordinances and Regulations of the University made under this Act;
 - (i) "University" means Maharishi Balmiki Sanskrit University, Kaithal as incorporated under this Act; and

- (j) “University teachers” mean professors, associate professor, assistant professor and such other persons, as may be appointed for imparting instructions or conducting research in the University or in any college or institution maintained by the University and are designated as teachers by the Ordinances.

Incorporation.

3. (1) There shall continue to be a body corporate by the name of Maharishi Balmiki Sanskrit University, Kaithal comprising of the Chancellor and the Vice-Chancellor of the University, and the members of the Court, the Executive Council and the Academic Council and all persons, who may hereafter become or be appointed as such officers or members, so long as they continue to hold such office or membership.

(2) The University shall have perpetual succession and a common seal with power to acquire, hold and dispose of property and to contract, and may by the said name sue or be sued.

Territorial exercise of powers.

4. (1) The limits of the area within which the university shall exercise its powers shall be such as the Government may, from time to time, by notification, specify.

(2) Notwithstanding anything contained in any other law for the time being in force, any college 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 Government, be deemed to be associated with, and admitted to, the privileges of the University and shall cease to be associated in any way with, or be admitted to any privileges of any other University, and different dates may be notified for different colleges:

Provided that-

- (i) any student of any college associated with, or admitted to, the other university before the said date, who was studying for any degree or diploma examination of that university, shall be permitted to complete his course in preparation thereof and the university shall hold for such students, examinations in accordance with the curricula of study in force in that university for such period, as may be prescribed;
- (ii) any such student may, until any such examination is held by the University, be admitted to the examination of the other university and be conferred the degree, diploma or any other privilege of that university for which he qualifies on the result of such examination.

Bar on conferring, granting or issuing degrees, diplomas or certificates by unauthorized institutions.

5. (1) Notwithstanding anything contained in this Act or any other law for the time being in force, no person or institution, other than the University, shall confer, grant, issue or hold himself or itself out as entitled to confer, grant or issue any degree, diploma or certificate in the specified areas of knowledge assigned to it within the territorial jurisdiction of the University which is identical with or is a colourable imitation of any degree, diploma or certificate conferred, granted or issued by the University.

(2) Contravention of the provisions of sub-section (1) shall be an offence.

(3) Where an offence under this section has been committed by an institution, every person, in charge of and responsible to the institution for the conduct of its business at the time of the commission of the offence, shall be deemed to be guilty of the offence and shall be liable to be proceeded against as per the University rules.

(4) Notwithstanding anything contained in sub-section (3), where an offence made under this section has been committed by an institution and it is proved that the offence has been committed with the consent or connivance of or that the commission of the offence is attributable to any neglect on the part of any partner, director, manager, secretary or other officer of the institution, such partner, director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purpose of this section “institution” means any body corporate and includes a firm or other association of individuals.

6. The University shall exercise the following powers and perform the following functions, Powers and functions of University.
namely:-

- (a) to provide for research and instruction in such branches of learning as the University may think fit and to take such steps, as it considers necessary for the advancement of learning and dissemination of knowledge;
- (b) to hold examinations and grant such degrees, diplomas and other academic distinctions or titles to persons as may be laid down in the Statutes, Ordinances or Regulations;
- (c) to confer honorary degrees or other distinctions on approved persons in the manner laid down in the Statutes;
- (d) to institute prizes, medals, research studentships, exhibitions and fellowships;
- (e) to receive gifts, donations or benefactions from the Government and to receive gifts, donations and transfers of movable or immovable property from transferors, donors, testators, as the case may be; and to create such corpus fund with the donations so received for the welfare of the University;
- (f) to institute principalship, professorship, associate professorship, assistant professorship and to create other posts of any description required by the University and to appoint persons to such posts;
- (g) to co-operate with educational and other institutions in India and abroad having objectives similar to those of the University in such manner, as may be conducive to their common goals;
- (h) to provide instructions, including correspondence and such other courses to such persons, as are not members of the University, as it may determine;
- (i) to recognize persons for imparting instructions in any college or institution admitted to the privileges of the University;
- (j) to maintain colleges located within the limits of the area referred to in Sub-section (1) of section 4 or, subject to the provisions of sub-section (2) of that section, admit to its privileges colleges not maintained by the University but located within the said area and to withdraw the same;
- (k) to borrow money with the approval of the Government, on the security of the property of the University, for the purposes of the University;
- (l) to supervise, control and regulate the residence, conduct and discipline of the students of the University and of colleges and institutions within the jurisdiction of the University;
- (m) to deal with any property belonging to or vested in the University, in such manner, as the University may deem fit for advancing the objects of the University;
- (n) to assess the needs of the State and country in terms of subjects, fields of specialization, levels of education and training of manpower both on short and long term basis and to initiate necessary programmes to meet those needs;
- (o) to organize advanced studies and research programmes based on a deep understanding of the trends in such branches of learning, as the University may think fit;
- (p) to promote training research, design and developmental activities that have a relevance to social needs and the development programmes of the State;
- (q) to initiate measures to enlist the co-operation of industries and Government employees to provide complementary facilities;
- (r) to provide for continuous experimentation in imparting knowledge, organization of training and preparation of text- books and other instructional materials;
- (s) to arrange for progressive introduction of continuous evaluation and re-orientation of the subjects in educational measurement;
- (t) to further entrepreneurial ability among its students;

- (u) to educate the public with regard to the requirement of, and opportunities for the advancement of learning and dissemination of knowledge;
- (v) to make special arrangements for the education of students and the students belonging to such weaker sections of the society, in particular Scheduled Castes and Scheduled Tribes, as the University may consider desirable;
- (w) to frame Statutes, Ordinances or Regulations and alter, modify or rescind the same for all or any of the aforesaid purposes;
- (x) to do all such things, as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.

University open to all races, castes and creeds.

7. The University shall be open to all irrespective of sex, race, creed, caste or class and no test or condition shall be imposed as to religion, belief or profession in admitting or appointing members, students, teachers, workers, or in any other connection whatsoever and no benefaction shall be accepted which in the opinion of the authorities of the University involves conditions or obligations opposed to the spirit and objectives of this provisions:

Provided that nothing contained in this section shall be deemed to prevent the University from making any special provisions in respect of weaker sections of the society and in particular Scheduled Castes and Scheduled Tribes.

Teaching of University.

8. All teaching and training in the University shall be conducted in Sanskrit language and in the name of the University, in accordance with the Statutes, Ordinances and Regulations made in this behalf.

Officers of University.

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

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Registrar; and
- (iv) such other persons in the service of the University, as may be declared by the Statutes to be Officers of the University.

Chancellor.

10. (1) The Governor of Haryana by virtue of his office shall be the Chancellor of the University.

(2) The Chancellor shall be the head of the University.

(3) The Chancellor shall, if present, preside over the convocation of the University for conferring degrees and meetings of the Court.

(4) The Chancellor shall have the right-

- (i) to cause an inspection to be made, by such person or persons as he may direct, of the University, its buildings, laboratories and equipment and of any college or institution maintained by the University and also of the examinations, teaching and other work conducted or done by the University; and
- (ii) to cause an inquiry to be made in like manner in respect of any matter connected with the administration of finances of the University, colleges or institutions.

(5) The Chancellor shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made and on receipt of such notice, the University shall have the right to make such representation to the Chancellor, as it may consider necessary.

(6) After considering the representation, if any, made by the University, the Chancellor may cause to be made such inspection or inquiry, as is referred to in sub-section (4).

(7) Where any inspection or inquiry has been caused to be made by the Chancellor, the University shall be entitled to appoint a representative who shall have the right to be present and to be heard at such inspection or inquiry.

(8) The Chancellor may, if the inspection or inquiry is made in respect of the University or any college or institution maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Executive Council the views of the Chancellor and the action to be taken thereon as advised by the Chancellor.

(9) The Executive Council shall communicate through the Vice-Chancellor to the Chancellor such action, if any, as it proposes to take or has taken upon the result of such inspection or inquiry.

(10) Where the Executive Council 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, issue such directions, as he may think fit and the Executive Council shall comply with such directions.

(11) Without prejudice to the foregoing provisions of this section, the Chancellor may, by order in writing, annul any proceeding of the University, which in his opinion is not in conformity with this Act, the Statutes, the Ordinances or the Regulations:

Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made, and if any cause is shown within a reasonable time, he shall consider the same.

(12) The Chancellor may, at any time require or direct the University to act in conformity with the provisions of this Act and the Statutes, Ordinances and Regulations made thereunder.

(13) The power exercised by the Chancellor under Sub-sections (11) and (12) shall not be called in question in any civil court.

(14) Any employee of the University, who is aggrieved by the decision of the Executive Council or the Vice-Chancellor in respect of any disciplinary action taken against him, may address a memorial to the Chancellor in such manner, as may be prescribed by Statutes and the decision of the Chancellor shall be final.

(15) The Chancellor shall have such other powers, as may be prescribed by the Statutes.

11. (1) The Vice-Chancellor shall be appointed solely on academic considerations. He shall be a distinguished educationist having commitment to the values for which the University stands and abilities to provide leadership to the University by his academic worth, administrative competence and moral stature and preferably an eminent Sanskrit scholar devoted to deliver for the cause of upliftment of Sanskrit language and literature. Vice-Chancellor.

(2) The Government shall constitute a Selection Committee consisting of one nominee of the Chancellor and two nominees of the Executive Council, which shall prepare a panel of at least three names, in alphabetical order, from which the Chancellor shall appoint the Vice-Chancellor, on the advice of the Government. The terms and conditions of the service of the Vice-Chancellor shall be determined by the Chancellor, on the advice of the Government.

(3) The Vice-Chancellor shall hold office for a period of three years which may be renewed for not more than one term:

Provided that no person shall be appointed to, or continue in the office of the Vice-Chancellor, if he has attained the age of sixty-eight years.

(4) The Chancellor may, on the advice of the Government, cause an inquiry to be held in accordance with the principles of natural justice and remove the Vice-Chancellor from office, if he is found on such inquiry, to be a person patently unfit to be continued in such office.

(5) If the Vice-Chancellor is unable to perform his duties owing to his temporary incapacity on account of illness or any other reason or the office of the Vice-Chancellor falls vacant due to death, resignation or otherwise, the Chancellor may make arrangements for the performance of duties of the Vice-Chancellor until the existing Vice-Chancellor is able to resume his office or until a regular Vice-Chancellor is appointed, as the case may be:

Provided that where the arrangement is made on account of death resignation or otherwise, the period shall not exceed six months and regular appointment shall be made within this period.

(6) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(7) The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act, except in the matters involving creation or abolition of a Faculty, Department, or post, the matter involving appointment or removal of an employee:

Provided that the Vice-Chancellor before exercising powers under this section shall record in writing the reasons, why the matter cannot wait till the meeting of the authority concerned:

Provided further that if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the Chancellor, whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to represent to the Executive Council within one month from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor. The employee shall be informed that the action has been taken under emergency powers.

(8) The Vice-Chancellor shall exercise such other powers and perform such other duties, as may be prescribed by the Statutes or Ordinances.

Registrar.

12. (1) The Registrar preferably an eminent Sanskrit scholar devoted to deliver for the cause of upliftment of Sanskrit language and literature shall be appointed by the Chancellor on the advice of the Government. The terms and conditions of service of Registrar shall be determined by the Chancellor, on the advice of the Government.

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

Appointment of first Vice-Chancellor and first Registrar.

13. Notwithstanding anything contained in this Act, the first Vice-Chancellor and the first Registrar shall be appointed by the Chancellor on the advice of the Government for such period not exceeding three years, as deemed appropriate by the Government.

Other officers.

14. The manner of appointment and powers and duties of other officers of the University shall be such, as may be prescribed by the Statutes.

Creation of teaching and non-teaching posts.

15. Notwithstanding anything contained in this Act, the University shall not create any teaching and non-teaching post or revise the pay scale of the teaching and non-teaching employees without obtaining the prior approval of the Government.

Authorities of University.

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

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

Court.

17. (1) The constitution of the Court and the term of office of its members shall be prescribed by the Statutes.

(2) Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:-

- (a) to review from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;

- (b) to consider and pass resolution on the annual report, annual budget and the annual accounts of the University and on the audit report of such accounts;
- (c) to advise the Chancellor in respect of any matter which may be referred to it for advice; and
- (d) to perform such other functions, as may be prescribed by the Statutes.
- 18.** (1) The Executive Council shall be the principal executive body of the University. Executive Council.
(2) The constitution of the Executive Council, the term of office of its members and its powers and duties shall be such, as may be prescribed by the Statutes.
- 19.** (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances, co-ordinate and exercise general supervision over all academic policies of the University. Academic Council.
(2) The constitution of the Academic Council, the term of office of its members and its powers and duties shall be such, as may be prescribed by the Statutes.
- 20.** The constitution and functions of the Faculties shall be such, as may be prescribed by the Statutes. Faculties.
- 21.** The constitution of the Finance Committee, the term of office of its members and its powers and duties shall be such, as may be prescribed by the Statutes. Finance Committee.
- 22.** The constitution and functions of the Academic Planning Board shall be such, as may be prescribed by the Statutes. Academic Planning Board.
- 23.** Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:- Status and their scope.
- (a) the constitution, powers and functions of the authorities and other bodies of the University, as may be constituted from time to time;
- (b) the classification, mode of appointment, powers and duties of the teachers and the officers of the University;
- (c) the conditions of the service including, provision for pension or provident fund or insurance schemes for the benefit of the employees of the University;
- (d) the conferment of honorary degrees;
- (e) the establishment and abolition of Faculties and Departments;
- (f) the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (g) the maintenance of discipline among the students;
- (h) the conditions under which colleges and institutions may be admitted to the privileges of the University and the withdrawal of the same;
- (i) the delegation of powers vested in the authorities or officers of the University; and
- (j) all other matters which by this Act, are to be or may be provided for, by the Statutes.
- 24.** (1) On the commencement of this Act, the Statutes of the University shall be those as set out in the Schedule: Statutes how made.

Provided that the authorities of the University constituted under the Statutes framed before the commencement of this Act shall continue to exercise all the powers and perform all the functions under this Act till such authorities are constituted in terms of the Statutes set out in the Scheduled referred to above.

(2) The Government of Executive Council may, from time to time, make new or additional statutes or may amend or repeal the Statutes in the manner hereinafter provided in this section:

Provided that the Executive Council shall not make, amend or repeal any Statute, affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council.

(3) The Academic Council may propose to the Executive Council a draft of any Statute relating to academic matters for consideration by the Executive Council.

(4) Every new Statute or addition to the Statute or any amendment or repeal of a Statute shall require the approval of the Chancellor who may approve, disapprove or remit it for further consideration. A Statute passed by the Executive Council shall have no validity until it has been assented to by the Chancellor.

(5) Notwithstanding anything contained in the foregoing Sub-sections, the Chancellor, either suo moto or on the advice of the Government, may direct the Executive Council, to make, amend or repeal the Statutes in respect of any matter specified by him and if the Executive Council fails to implement such a direction within sixty days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the Executive Council for its inability to comply with such direction, make, amend or repeal the Statutes suitably.

Ordinances and their scope.

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

- (a) the admission of students to the University and their enrolment as such;
- (b) for admission to the examinations, degrees and diplomas of the University and further to make progressively the fee structure so flexible that the courses could become self-financing to the extent possible;
- (c) the conditions under which students shall be admitted to the degree, diploma or other courses and to the examinations of the University and the eligibility for such degrees, diplomas and certificates;
- (d) the fees to be charged for courses of study in the University and for admission to the examinations, degrees, diplomas and other courses of the University; and further to make progressively the fee structure so flexible that the courses could become self-financing to the extent possible;
- (e) the conditions of the award of fellowships, studentships, exhibitions, medals and prizes;
- (f) the conduct of examinations, including the terms of office and manner of appointment and the duties of examining bodies, examiners and moderators;
- (g) the conditions of residence of students of the University; and
- (h) all other matters which by this Act or the Statutes are to be made or may be provided for by the Ordinances.

Ordinance how made.

26. (1) The Ordinances shall be made, amended, repealed or added to by the Executive Council:

Provided that no Ordinance shall be made-

- (i) affecting the admission or enrolment of students or prescribing examinations to be recognized as equivalent to the University examinations; and
- (ii) affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examination or any courses of study,

unless the draft of such Ordinance has been proposed by the Academic Council.

(2) The Executive Council may return to the Academic Council for reconsideration, either in whole or in part, any draft proposed by the Academic Council under sub-section (1) alongwith its suggestions:

Provided that the Executive Council shall not amend the draft proposed by the Academic Council itself. It may, however, reject such draft when submitted to it by the Academic Council for the second time.

(3) All Ordinances made by the Executive Council shall have effect from such date, as it may direct and every Ordinance made shall be communicated, as soon as may be, to the Chancellor.

27. (1) The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances- Regulations.

- (a) laying down the procedure to be observed at their meetings; and
- (b) providing for all matters which by this Act, the Statutes or the Ordinances are to be prescribed by Regulations.

(2) Every authority of the University shall make Regulations providing for giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings and for keeping the record of the proceedings of the meetings.

28. The annual report of the University giving details of broad programmes, policies and finances, amendments of Statutes and Ordinances made during the year under report, shall be prepared under the directions of the Executive Council and shall be submitted to the Court on or after such date, as may be prescribed by the Statutes and the Court shall consider the report in its annual meeting. Annual report.

29. (1) The annual accounts and the balance sheet of the University shall be prepared under the directions of the Executive Council and shall at least once in every year and at intervals of not more than fifteen months be audited by the Director, Local Audit, Haryana or any other auditor that may be appointed by the Government. The annual accounts when audited shall be published in the Haryana Government Gazette and a copy of the annual accounts alongwith the report of the Director, Local Audit, Haryana or the Auditor shall be submitted to the Court and the Chancellor alongwith the observations of the Executive Council. Any observations made by the Chancellor on the annual accounts shall be brought to the notice of the Court and observations of the Court, if any, shall after being considered by the Executive Council, be submitted to the Chancellor. Annual accounts.

(2) The annual accounts and the balance sheet of the University shall also be submitted to the Government at the time of its submission to the Chancellor.

30. (1) Every salaried officer and teacher, except the Vice-Chancellor, shall be appointed under a contract, which shall be lodged with the University and any dispute arising out of a contract between the University and any of the officers or teachers shall, at the request of the teacher or officer concerned or at the instance of the University, be referred to a Tribunal of arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned and one nominee of the Chancellor. The decision of the majority of the members of the Tribunal shall be final and no suit shall lie in any civil court in respect of the matter decided by the Tribunal. Condition of service of officers and teachers.

(2) Every such request shall be deemed to be a submission to arbitration within the meaning of the Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996).

31. (1) The University shall institute, for the benefit of its officers, teachers and other employees, such pension, provident fund and insurance fund, as it may deem fit. Pension, provident fund and insurance fund.

(2) Where any provident fund and insurance fund have been so constituted, the provisions of the Provident Fund Act, 1925 (Central Act 19 of 1925), shall be applicable to it as if it were a Government Provident Fund.

32. No act done or proceeding taken under this Act by any authority or other body of the University shall be invalid merely on the ground- Vacancy not to invalidate proceedings.

- (a) of any vacancy or defect in the constitution of the authority or body; or
- (b) of any defect or irregularity in election, nomination or appointment of a person acting as a member thereof; or
- (c) of any defect or irregularity in such act or proceeding, not affecting the merits of case.

Certain disputes to be referred to Chancellor.

33. If any question arises whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Chancellor, whose decision thereon shall be final.

Power to remove difficulties.

34. If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or otherwise in first giving effect to the provisions of this Act, the Government may, at any time, before any authority of the University has been constituted, by order, make any appointment or do anything consistent, so far as may be, with the provisions of this Act, which appears to it necessary or expedient for the purposes of removing the difficulty and every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act.

Protection of action taken in good faith.

35. No suit or other legal proceedings shall lie against any officer or employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or Ordinances.

THE SCHEDULE

(Statutes of Maharishi Balmiki Sanskrit University, Kaithal)

(see section 24)

1. (i) The Vice-Chancellor shall be ex-officio Chairman of the Executive Council, the Academic Council and the Finance Committee and shall, in the absence of the Chancellor, preside over the convocations of the University held for conferring degrees and over the meetings of the Court. The Vice-Chancellor shall be entitled to be present at, and to address, any meeting of any authority or other body of the University, but shall not be entitled to vote thereat, unless he is the member of such authority or body. Powers and duties of Vice-Chancellor.
- (ii) It shall be the duty of the Vice-Chancellor to see that the provisions of the Act, the Statutes, the Ordinances and the Regulations are duly observed and shall take all necessary steps to ensure such observance.
- (iii) The Vice-Chancellor shall have the power to convene or cause to be convened meetings of the Court, the Executive Council, the Academic Council and the Finance Committee and any other authority or body of the University.
- (iv) 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.
- (v) The decision of the Vice-Chancellor regarding seniority for nomination to the various authorities or bodies of the University shall be final.
2. (i) The Registrar shall be ex-officio Secretary of the Executive Council and Faculties but shall not be deemed to be a member of any of these authorities and shall be ex-officio Member-Secretary of the Court and the Academic Council. Registrar.
- (ii) When the office of the Registrar is vacant or when the Registrar is by reason of illness or any other cause is unable to perform the duties of the office, the duties of the office shall be performed by such person, as the Vice-Chancellor may appoint temporarily for the purpose till the regular appointment is made by the Chancellor on the advice of the Government:
- Provided that where the temporary arrangement is made against the vacancy, the period for such temporary arrangement shall not exceed six months and the Registrar shall be appointed within this period.
- (iii) It shall be the duty of the Registrar-
- (a) to be the custodian of the records, common seal and such other property of the University, as the Vice-Chancellor shall commit to his charge;
- (b) to issue all notices convening meetings of the Court, the Executive Council, the Academic Council, the Faculties and of any committee appointed by any authority of the University;
- (c) to keep the minutes of all meetings of the Court, the Executive Council, the Academic Council, the Faculties and any committee appointed by the authorities of the University;
- (d) to conduct the official correspondence of the Court, the Executive Council, the Academic Council and the Faculties;
- (e) to supply to the Chancellor, copies of the agenda, the minutes of the meetings of the authorities of the University, as soon as they are issued;
- (f) to perform such other duties, as may from time to time be assigned to him the by Vice-Chancellor.
- (iv) The Registrar shall have power to administer warning or to impose the penalty of censure or withholding of increments upon such of the employee, excluding teachers of the University and the academic staff, as may be specified in the orders of the Executive Council and to suspend them pending enquiry:
- Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

- (v) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in clause (iv).
- (vi) In case the inquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry make a report to the Vice-Chancellor alongwith his recommendations:
 Provided that an appeal shall lie to the Executive Council against an order of the Vice-Chancellor imposing any penalty.
- (vii) The Registrar shall be the authorized officer to enter into agreements, sign documents and authenticate records on behalf of the University and shall act in such capacity when the appropriate authority of the University has taken a decision in the matter. The Registrar shall also exercise such other powers and perform such other duties, as may be prescribed by Statutes or the Ordinances.
- Other officers. **3.** The following persons in the service of the University are also declared to be the officers of the University, namely:-
- (a) Proctor;
 - (b) Chief Warden;
 - (c) Dean of Students' Welfare, if any;
 - (d) Dean, Academic Affairs;
 - (e) Dean of Colleges;
 - (f) Librarian;
 - (g) Controller of Examination;
 - (h) Finance Officer.
- Appointment of other officers. **4.** The Proctor, the Chief Warden, the Dean of Students' Welfare, Dean Academic Affairs shall be appointed by the Executive Council on the recommendations of the Vice-Chancellor from amongst the teachers of the University, who shall not be below the rank of Professor, on such terms and conditions, as the Vice-Chancellor may recommend to the Executive Council:
 Provided that the term of Dean, Academic Affairs shall be two years extendable by another one year, if deemed proper, by the Executive Council, on the recommendations of the Vice-Chancellor.
- Dean of Colleges. **5.** The Dean of Colleges, if any, shall be a whole-time salaried officer of the University and shall be appointed by the Executive Council, on the recommendations of the Vice-Chancellor, on such terms and conditions, as may be prescribed by the Statutes. He shall discharge such duties, as may be assigned to him by the Vice-Chancellor, from time to time.
- Finance Officer. **6.** (1) The Finance Officer shall be a whole-time salaried officer of the University and shall be appointed by the Executive Council on the recommendations of the Selection Committee, on such terms and conditions, as may be prescribed by the Statutes.
- (2) The Finance Officer shall be ex-officio Secretary of the Finance Committee but shall not be deemed to be a member of such Committee.
- (3) When the office of the Finance Officer is vacant or when the Finance Officer is by reason of illness or any other cause is unable to perform the duties of his office, the duties of the officer shall be performed by such person, as the Vice-Chancellor may appoint for the purpose.
- (4) The Finance Officer shall-
- (a) exercise general supervision over the funds of the University and shall advise it as regards its financial policy; and
 - (b) perform such other functions, as may be assigned to him by the Executive Council or as may be prescribed by the Statutes.
- (5) Subject to the control of the Executive Council, the Finance Officer shall-
- (a) hold and manage the property and investments of the University including trust and endowed property;
 - (b) ensure that the limits fixed by the Finance Committee for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purpose, for which they are granted or allotted;

- (c) be responsible for the preparation of annual accounts and the budget of the University and for their presentation to the Executive Council;
- (d) keep a constant watch on the state of the cash and bank balances and on the state of investments;
- (e) watch the progress of the collection of revenue and advise on the method of collection to be employed;
- (f) ensure that the registers of buildings, land, furniture and equipment are maintained up-to-date and that stock checking of equipment and other connected materials in all offices, special centres, specialized laboratories, colleges and institutions maintained by the University is conducted;
- (g) bring to the notice of the Vice-Chancellor any unauthorized expenditure and other financial irregularities and suggest action to be taken against the person responsible for it;
- (h) call for from any officer, centre, laboratory, college or institution maintained by the University, any information or returns that he may consider necessary for the performance of his duties.

(6) The receipt of the Finance Officer or of the person duly authorized in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for payment of such money.

7. (1) The Controller of Examinations, shall be whole-time salaried officer of the University and shall be appointed by the Executive Council, on the recommendations of the Establishment Committee, on such terms and conditions, as may be prescribed by Executive Council.

Controller of examinations.

(2) It shall be the duty of the Controller of Examinations-

- (a) to conduct examinations in a disciplined and efficient manner;
- (b) to arrange for the setting of papers with strict regard of secrecy;
- (c) to arrange for the evaluation of answer-sheets in accordance with the planned time schedule for results;
- (d) to constantly review the system of examinations in order to enhance the level of impartiality and objectivity with a view to make it better instrument for assessing the attainments of students;
- (e) to perform such functions as are connected with the system of examinations which may, from time to time, be assigned to him by the Vice-Chancellor.

8. The Librarian shall be whole-time salaried officer of the University and shall be appointed by the Executive Council on the recommendations of the Establishment Committee, on such terms and conditions, as may be prescribed by the Executive Council.

Librarian.

9. (1) The Court shall consist of following members, namely:-

Court and its constitution.

- (a) Ex-Officio Members-
 - (i) Chancellor;
 - (ii) Vice Chancellor;
 - (iii) The Principal Secretary to Government, Haryana, Finance Department, or a nominee not below the rank of Director/Joint Secretary;
 - (iv) The Principal Secretary to Government, Haryana, Higher Education Department or a nominee not below the rank of Deputy Director;
 - (v) Director Higher Education or his absence a nominee not below the rank of Deputy Director;
 - (vi) Director General Health Services or his nominee not below the rank of Joint Director;
 - (vii) The Director of Technical Education, Haryana or his nominee not below the rank of Joint Director;

- (viii) Dean of Faculties;
- (ix) Dean of Colleges;
- (x) Registrar;
- (xi) Dean of Students' Welfare, if any;
- (xii) Controller of Examinations;
- (xiii) Dean of Academic Affairs;
- (xiv) Librarian;
- (xv) Finance Officer;
- (b) Other members-
 - (i) two members to be elected by the Haryana Legislative Assembly from amongst its members;
 - (ii) professors of the University not exceeding ten on the basis of seniority by rotation;
 - (iii) five teachers to be elected from amongst the Associate Professors and Assistant Professors of the University of whom at least two shall be Associate Professors;
 - (iv) one principal from the colleges admitted to the privileges of the University, on the basis of seniority, by rotation;
 - (v) one principal to be elected from amongst themselves by the principals holding their posts in substantive capacity in Colleges, other than colleges of education, included in each of the four zones to be demarcated by the Vice-Chancellor;
 - (vi) four teachers other than principals to be elected from amongst themselves by the teachers holding their posts in a substantive capacity in colleges included in each of the four zones to be demarcated by the Vice-Chancellor:

Provided that not more than one teacher under this sub-clause, shall belong to any one college.

- (vii) Secretary, Maharishi Balmiki Sanskrit University, Kaithal Students' Union and two secretaries to be elected from amongst themselves by secretaries to be elected from amongst themselves by secretaries of the Students' Union in Colleges in the State for the period from the date of election till the 31st May of the academic year;
- (viii) fifteen representatives (ten from amongst eminent academicians and five representatives from Sanskrit Literature and its connected fields);
- (ix) one of the principals of colleges maintained by the University, by rotation for a term of three years;
- (x) two persons elected from amongst themselves by the representatives of the managements of non-Government colleges. The representatives of the managements shall be from amongst the members of the concerned managements.
- (c) (1) The Registrar shall be Member-Secretary of the Court:

Provided that no salaried servant of the University, including its allied institutions, shall be eligible for election or nomination under any of the preceding sub-clauses except sub-clauses (ii) to (vi) and (ix) and that if any person elected or nominated under any of the preceding sub-clauses except sub-clauses (ii) to (vi) and (ix) is subsequently appointed to any salaried post in the University or its allied institutions, he shall cease to be a member of the Court:

Provided further that no person shall be eligible for nomination or election to the Court except under sub-clause (vii) unless he has attained the age of twenty-five years.

(2) Save as otherwise expressly provided, the members of the Court other than ex-officio members, shall hold office for a term of two years.

(3) At all meetings of the Court, two-fifth of the members shall form a quorum.

(4) If the required number of members for purposes of quorum is not present within half-an-hour after the appointed time of the meeting, the meeting shall not be held and the Registrar shall make a record of that fact.

(5) The method of election shall be by simple majority voting by ballot and the election shall be conducted in accordance with the rules framed by the Vice-Chancellor.

10. (1) The Court shall meet at least once a year on a date to be fixed by the Vice-Chancellor. Meeting of court.

(2) A special meeting of the Court may be convened at any time by the Chancellor or the Vice-Chancellor on a written request by one-third of its members.

11. (1) The Executive Council shall consist of the following persons, namely:- Executive council and its constitution.

I. Ex-officio-members-

- (i) The Vice-Chancellor;
- (ii) The Principal Secretary to Government, Haryana, Finance Department, or a nominee not below the rank of Director/Joint Secretary;
- (iii) The Principal Secretary to Government, Haryana, Higher Education Department, or a nominee not below the rank of the Deputy Director;
- (iv) The Principal Secretary to Government, Haryana, Technical Education Department or a nominee not below the rank of Director/Joint Secretary;

II. Other members-

- (a) Five Deans of the Faculties one from each of the following categories;
 - (i) Dean, Faculty of Sanskrit Literature;
 - (ii) Four Deans, from Faculties of Indic Languages and others as prescribed by statutes;
- (b) Dean Academic Affairs;
- (c) two principals (other than the Deans of Faculties) of colleges, out of whom one shall be from a women's college, by rotation, on the basis of seniority of age;
- (d) one teacher (other than a principal) of a college to be elected by the members of the Court from amongst themselves;
- (e) one out of the professors of the University Teaching Departments other than the Deans under sub-clause (a), by rotation for one year, on the basis of seniority;
- (f) two teachers of the University Teaching Departments other than professor to be elected from amongst themselves out of whom at least one shall be Associate Professor;
- (g) four persons as the Chancellor's nominee from amongst distinguished educationists of national or international eminence or distinguished serving/retired civil servants.

(2) The Registrar shall be ex-officio Secretary of the Executive Council.

(3) Two-fifths of the members shall form a quorum.

(4) Save as otherwise expressly provided, the members of the Executive Council, other than ex-officio members shall hold office for a term of two years.

(5) Any member who ceases to hold the qualifications by virtue of which he was elected or nominated as member to the Executive Council shall cease to be a member thereof.

Decision of
Executive
Council.

12. Any decision of the Executive Council in the matters involving additional financial liability and those relating to the annual budget of the University shall hold good only if at least one representative of the Government is present at the time of taking such decision and has consented to that decision.

Power of
Executive
Council.

13. The Executive Council shall exercise the following powers, namely:-

- (a) to hold, control and administer the revenue, property and funds of the University;
- (b) to create teaching and academic posts, to determine the number and emoluments of such posts and to define the duties and conditions of service of professors, associate professors, assistant professors and other academic staff and principals of colleges and institutions maintained by the University:

Provided that in the matters of creation of new posts involving additional financial liability shall hold good only if the representative of the Government. Finance Secretary or in his absence, his representative and Secretary, Education or in his absence his representative is present at the time of taking such decision and has consented to that decision:

Provided further that in case the Government representative from the Finance or Higher Education Department is not present in two consecutive meetings even after the proper notice, then the Executive Council may approve the proposal regarding creation of posts:

Provided further that in respect of the number, qualifications and the emoluments of teachers and academic staff, the Executive Council shall take action after consideration of the recommendations of the Academic Council and the Finance Committee;

- (c) to appoint professors, associate professors, assistant professors, other academic staff and principals of colleges and institutions maintained by the University, on the recommendations of the Selection Committee constituted for the purpose and to fill in temporary vacancies therein;
- (d) to create administrative, ministerial and other posts and to make appointments thereto, in the manner prescribed by the Statutes;
- (e) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University and for that purpose to appoint such agents, as it may think fit;
- (f) to invest any money belonging to the University including any unapplied income in such stocks, funds, shares or securities as it shall, from time to time think fit or in the purchase of immovable property in India with like powers of varying such investments from time to time;
- (g) to transfer or accept transfer of any movable and immovable property on behalf of the University;
- (h) to provide buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;
- (i) to select a common seal for the University;
- (j) to delegate any of its powers to the Vice-Chancellor, the Registrar or such other employee or authority of the University or to a committee appointed by it, as it may deem fit;
- (k) to enter into, vary, carry out, or cancel contracts on behalf of the University;
- (l) to make, amend or repeal the Statutes;
- (m) to make decisions regarding maintenance of discipline among students;
- (n) to exercise all powers of the University not otherwise provided for by the Act, the Statutes, or the Ordinances.

Academic Council
and its
Constitution.

14. (1) The Academic Council shall consist of the following persons, namely:-

- 1. Ex-officio members-
 - (i) The Vice-Chancellor;

- (ii) The Director, Higher Education, Haryana or the Joint Director (Colleges), Haryana or any nominee of the Director, Higher Education not below the rank of Deputy Director;
- (iii) The Registrar;
- (iv) The Dean of Faculties;
- (v) The Dean, Students' Welfare, if any;
- (vi) The Dean, Academic Affairs;
- (vii) The Dean of Colleges;
- (viii) The Chairpersons of the Departments;
- (ix) The Chief Warden of University Hostels;
- (x) The Proctor;
- (xi) The Controller of Examinations, if any;
- (xii) The Librarian of the University Library;
- (xiii) One out of the principals of colleges affiliated by the University, by rotation, provided that he is not a member of the Executive Council;
- (xiv) Professor(s) Emeritus appointed by the University/ Emeritus Fellow appointed by the University Grants Commission (but without having right to vote or seek election).

II. Other members-

- (i) one professor appointed by the University from each Department, by rotation, on the basis of seniority;
- (ii) one University Associate Professor from each faculty, by rotation, on the basis of seniority;
- (iii) one University Assistant Professor from each faculty, by rotation, on the basis of seniority;
- (iv) one principal and three teachers to be elected from amongst themselves by the principals and teachers respectively, holding their posts in substantive capacity in the colleges included in each of the constituencies mentioned below:-
 - (a) Government colleges, other than the colleges of Education;
 - (b) Non-Government colleges, other than the colleges affiliated to the University, in each of the four zones to be demarcated by the Vice-Chancellor:

Provided that not more than one teacher elected under this clause shall belong to any one college;
- (v) five educationists of national or international eminence to be nominated by the Vice-Chancellor, from outside the University:

provided that not more than one of them shall be from the same field;
- (vi) three persons elected by the Court from amongst its own members;
- (vii) President, Maharishi Balmiki Sanskrit University, Kaithal Students' Union and two presidents to be elected from amongst themselves by the presidents of the Students' Unions in the colleges for the period from the date of election till 31st May of the Academic Year:

Provided that the members coming under this sub- clause shall not participate in the meeting at the time the Academic Council considers the appointment of examiners.

- (2) The Registrar shall be the Member-Secretary of Academic Council.
- (3) Two-fifths of the members will form a quorum.
- (4) Save as otherwise expressly provided, the members of the Academic Council, other than ex-officio members, shall hold office for a term of two years.
- (5) The method of election shall be by simple majority voting by ballot and the elections shall be conducted in accordance with the rules framed by the Vice-Chancellor.

Powers of
Academic
Council.

- 15.** (1) The Academic Council shall exercise the following powers, namely :-
- (a) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instruction, co-operative teaching among colleges and institutions, evaluation of research or improvements in academic standards;
 - (b) to consider matters of general academic interest either on its own initiatives or on a reference by the Chancellor, the Vice-Chancellor, the Executive Council or a Faculty and to take appropriate action thereon;
 - (c) to recommend to the Executive Council, the creation and abolition of teaching posts;
 - (d) to prescribe syllabi and courses of study for various examinations on the recommendations of the faculties;
 - (e) to frame such regulations consistent with the Statutes and Ordinances regarding the academic functions of the University, discipline, residence, admissions, awards of fellowships, studentships, scholarships, medals and prizes, fee concessions, corporate life and attendance; and
 - (f) to exercise such other powers and perform such other duties, as may be conferred or assigned to the Academic Council by this Act, the Statutes, or the Ordinances.
- (2) All decisions of the Academic Council concerning syllabi, courses of studies and conducting of examinations in so far as they are not provided for by the Statutes and Ordinances shall be final.

Composition of
Finance
Committee.

- 16.** (1) The Finance Committee shall consist of the following persons, namely:-
- (I) Ex-officio members-
 - (a) the Vice- Chancellor (Chairperson);
 - (b) the Principal Secretary to Government, Haryana, Finance Department or a nominee not below the rank of Director/Joint Secretary;
 - (c) the Principal Secretary to Government, Haryana, Higher Education Department or a nominee not below the rank of the Deputy Director;
 - (d) the Principal Secretary to Government, Haryana, Technical Education Department or a nominee not below the rank of the Director/Joint Secretary;
 - (II) Other members –
 - (a) one outside member having expertise in finance to be nominated by the Chancellor on the recommendation of the Vice- Chancellor;
 - (b) two Deans of Faculties to be nominated by the Vice-Chancellor.
- (2) The Registrar shall be the Member- Secretary of the Committee.
- (3) Nominated members of the Finance Committee shall hold office for a term of two years.
- (4) Three members, out of whom at least one member shall be a Government nominee, shall form the quorum.

Functions and
powers of Finance
Committee.

- 17.** (1) The Finance Committee shall examine the accounts and scrutinize the proposals for expenditure and shall submit the annual budget to the Executive Council for approval. No expenditure in the budget shall be incurred by the University without the prior approval of the Finance Committee which shall fix limits for the total recurring and non- recurring expenditure for the year based on the resources and the income of the University. No expenditure shall be incurred by the University in excess of the limits so fixed.
- (2) It shall examine and recommend to the Executive Council the creation of teaching and other posts.
- (3) The annual accounts and the official estimate of the University shall be laid before the Finance Committee for its consideration and comments thereon and thereafter submitted to the Executive Council for approval.

- 18.** There shall be the following Faculties, namely:- Faculties.
- (i) Faculty of Sanskrit Language;
 - (ii) Faculty of Indic Language;
 - (iii) Faculty of Social Sciences;
 - (iv) Faculty of Vedveda;
 - (v) Faculty of Literary culture;
 - (vi) Faculty of Philosophy;
 - (vii) Faculty of Ayurveda;
 - (viii) Faculty of Encyclopedia.
- 19.** (1) Each Faculty shall consist of – Constitution of Faculties.
- (i) Dean of the Faculty (Chairperson);
 - (ii) Chairman of the Departments included in that Faculty;
 - (iii) One professor from each Department on the basis of seniority by rotation;
 - (iv) One associate professor and one assistant professor appointed or recognized by the University in the Departments included in the Faculty by rotation according to seniority;
 - (v) Two principals of affiliated colleges admitted to the privileges of the University on the basis of seniority by rotation.
- (2) Members nominated shall hold office for a period of two years:
Provided that the Executive Council, at the request of the Academic Council, may increase the number of members of a Faculty.
- (3) Branch In-charge of the Academic Branch not below the rank of Assistant Registrar may act as Secretary of the Faculties.
- (4) Two-fifths of the members in each Faculty shall form the quorum.
- 20.** (1) There shall be a Dean of each Faculty who shall be appointed by the Vice-Chancellor. The Dean shall be appointed in rotation on the basis of seniority amongst the professors in various Departments comprising the Faculty: Deans of Faculties.
- Provided that a professor appointed as Dean shall get his next turn after all the professors in the Faculty have been appointed as Dean in order of their seniority:
Provided further that in case there is no professor in the Faculty, the Dean shall be appointed from amongst the Associate Professor in the concerned Departments.
- (2) Suitable remuneration shall be attached to the office of the Dean who shall hold office for a term of three years.
 - (3) The Dean shall convene meetings of the Faculty and shall preside over them.
 - (4) The Dean shall be responsible for the co-ordination of teaching therein and the execution of the decisions of the Faculty.
 - (5) The Dean shall have the right to be present and to take part in discussion at any meeting of committee of the Faculty.
- 21.** Subject to control of the Academic Council, the powers of the Faculty shall be- Powers of Faculty.
- (a) to co-ordinate teaching and research work of the University in the Departments assigned to the Faculty;
 - (b) to recommend to the Academic Council courses of studies and syllabi for the different examinations after necessary report from the Boards of Studies;
 - (c) to receive reports from the Departments for the creation and abolition of posts and to forward them to the Academic Council with such recommendations, as it may consider reasonable;
 - (d) to discuss and suggest to the Academic Council, schemes for the advancement of standards of teaching and examinations; and
 - (e) to deal with any matter that may be referred to it by the Academic Council or the Vice-Chancellor or the Dean of the Faculty.

Chairperson of
Department.

22. (1) Each teaching department shall have a Chairperson who shall be appointed by the Vice-Chancellor for a period of three years by rotation:

Provided that-

(a) if a Department has two or more professors, the Chairpersonship shall rotate by seniority only among the professors:

Provided that a professor appointed as Chairman shall get his next turn after all the professors in the Department have been appointed as Chairperson in order of their seniority;

(b) if a Department has only one professor, the Chairpersonship shall rotate between the professor and the senior-most Associate Professor;

(c) if a Department has no professor, the Chairpersonship shall rotate between the two senior-most Associate Professor;

(d) the Vice-Chancellor, if he considers it necessary for any administrative reason, may deviate from the principle of seniority, in which case he shall report the matter to the Executive Council at its next meeting .

(2) In the case of a Department where no teacher is eligible for appointment as Chairperson or for such Departments where instruction is imparted only upto the under-graduate level in the colleges, the Dean of the concerned Faculty shall be the Chairperson.

(3) In case a senior person is on long leave, the next eligible person shall be appointed as Chairperson of the Department and he shall continue as such till the completion of his term, even if the senior person returns from leave during that period. However, the senior person shall be eligible for appointment as Chairperson after the expiry of the term of the present incumbent.

(4) In case the Chairperson of the Department by reason of illness, absence or any other cause, is unable to perform the duties of his office, the duties of the office shall be performed by the next eligible person, unless, the Vice- Chancellor orders otherwise.

(5) In case a person refuses to accept the offer of appointment as Chairperson or resigns on his own, he shall not be eligible for appointment as Chairperson of the Department till his turn comes again after the completion of the rotation circle among the eligible teachers.

(6) If the Vice- Chancellor deems it necessary, he may appoint the next eligible person as Chairperson irrespective of the fact that the term of the present Chairperson has not yet expired, in such case, he shall report the matter to the Executive Council at its next meeting.

Appointments.

23. (1) All appointments to teaching posts shall be made by the Executive Council on the recommendations of the Selection Committee.

(2) Appointments to Group A posts (non-teaching/technical) shall be made by the Executive Council, on the recommendation of the Establishment/Selection Committee.

(3) (i) Appointments to posts other than Group A shall be made by the Vice-Chancellor after complying with the due procedure laid down in the rules or orders.

(ii) Appointments on daily wages in respect of Group C and D employees shall be made by the Registrar after complying with the due procedure laid down in the rules or orders;

(4) Notwithstanding anything contained in clauses (1), (2) and (3) above, the Vice-Chancellor may, where he considers necessary, make an adhoc or temporary appointment for a period not exceeding six months, if it is not possible or desirable to make regular appointment. Where the appointing authority is the Executive Council, the decision taken by the Vice-Chancellor shall be reported to the Executive Council in its next meeting.

Selection
Committee.

24. (1) A Selection Committee for any appointment of Professor/ Associate Professor/Assistant Professor specified below shall consist of –

(i) The Vice-Chancellor;

(ii) The Dean of the Faculty;

(iii) The Chairperson of the Department concerned, if he is a Professor ;

(iv) The senior-most Professor in the Department except where otherwise decided by the Vice- Chancellor;

- (v) Three persons not connected with the University, nominated by the Vice- Chancellor from a panel of names drawn up by the Academic Council on the basis of their special knowledge of , or interest in the subject with which the person is concerned :

Provided that the Vice- Chancellor may add more names to the panel in special circumstances and report these to the Academic Council at its next meeting.

- (vi) An Academician, who is nominee of the Chancellor.

(2) The panel of names drawn up by the Academic Council and the additions, if any, made thereto by the Vice-Chancellor, as provided in the Statutes, shall be subject to approval of the Chancellor:

Provided that in case one of the experts fails to turn up at Selection Committee, after accepting the invitation to attend the same, the proceedings of the meeting shall not be invalidated:

Provided further that the proceedings of the meetings of a Selection Committee shall not be invalidated in case of any of the ex- officio members of the Selection Committee fails to attend the meeting.

(3) The Vice- Chancellor shall preside over at the meetings of a Selection Committee and the Registrar shall act as its Secretary. The meeting of a Selection Committee shall be convened by or under the directions of the Vice-Chancellor.

(4) The Selection Committee shall consider and submit to the Executive Council the recommendations as to the appointment referred to it. If the Executive Council is unable to accept the recommendations made by the Committee, it shall record its reasons and submit the case to the Chancellor for final orders.

(5) Notwithstanding anything contained in Statutes, the Executive Council may invite a person of high academic distinction and professional attainments to accept a post of Professor in the University, on such terms & conditions as it deems fit and on the person agreeing to do so, appoint him to the post.

25. The constitution of the Establishment Committee shall be such as determined by the Ordinances. Establishment Committee.

26. (1) The Academic Planning Board shall consist of – Constitution and functions of Academic Planning Board.

(a) the Vice-Chancellor;

(b) not more than seven persons of high standing in education who shall be appointed by the Chancellor on the recommendations of the Vice-Chancellor for a term of two years;

(c) the Registrar, who shall be the Secretary to the Board.

(2) The recommendations of the Board shall be implemented after they are approved by appropriate authorities of the University.

(3) It shall advise on the planning and development of the University particularly in respect of the standards of education and research in the University.

27. Convocation of the University for conferring of degrees and for other purposes shall be held in such manner, as may be laid down by the Executive Council from time to time, by means of an Ordinance: Convocation.

Provided that every proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor.

28. There shall be University Teaching Departments duly created by the Academic Council on the recommendation of the Vice- Chancellor in the various Faculties of the University. Departments.

29. The Departments of Studies shall be assigned to various Faculties by the Academic Council on the recommendation of the Vice- Chancellor. Assignment of Department of Studies to Faculties.

30. (1) Every Department included in a Faculty, shall have two Boards of Studies, one for under- graduate studies and the other for post- graduate studies and research. Board of Studies.

- (2) The Board of under-graduate studies shall consists of-
- (i) the Chairperson of the Department;

- (ii) one professor appointed or recognized by the University in the Department, to be nominated by the Vice-Chancellor, by rotation, according to seniority;
- (iii) one associate professor and one assistant professor appointed or recognized by the University in the Department, to be nominated by the Vice-Chancellor, according to seniority:

Provided that no such teacher shall be nominated for two consecutive terms:

Provided further that a teacher who has been nominated as a member of the faculty shall not be nominated under this sub-clause.

- (iv) six teachers (including principals) from the affiliated colleges in the subject concerned, to be nominated by the Vice-Chancellor, by rotation, according to seniority, to be determined by the length of teaching experience ensuring that there is not more than one such member from any one college;
- (v) two outside experts to be nominated by the Vice-Chancellor on the recommendation of the Chairperson of the Department:

Provided that the Executive Council at the request of the Academic Council may increase the number of members of a Board of under-graduate studies, under sub-clause (iv) above.

- (3) The Board of post-graduate studies and research shall consist of-

- (i) the Chairperson of the Department;
- (ii) all the professors appointed or recognized by the University in the Department;
- (iii) two Associate Professors and two Assistant Professors appointed or recognized by the University in the Department to be nominated by the Vice-Chancellor by rotation according to seniority;
- (iv) two teachers including the Heads of the Post- Graduate Departments in affiliated colleges admitted to the privileges of the University in the subject concerned with at least ten years teaching experience, out of which five years shall be as a post-graduate degree teacher, to be nominated by the Vice-Chancellor, by rotation according to seniority to be determined by the length of post- graduate teaching experience:

Provided that if the number of affiliated colleges having Post-Graduate Department is more than six, then one more teacher of the subject concerned shall be nominated but not more than one such member shall be from the same college.

- (v) two outside experts to be nominated by the Vice-Chancellor, on the recommendation of the Chairman of the Department:

Provided that the Executive Council at the request of the Academic Council, may increase the number of members of a Board of post-graduate studies under sub-clause (iv) above.

- (4) (i) The Board of under-graduate studies shall recommend to the Academic Council, through the Faculty concerned, courses and syllabi of studies and text books for the various subjects for under-graduate courses and the Board of post-graduate studies shall make such recommendations in respect of the courses for post-graduate classes and research degrees.
- (ii) The Boards of Studies shall also make recommendations to the Academic Council, regarding the appointments of paper setters and examiners for the under-graduate or the post-graduate courses, as the case may be.
- (iii) The Board of Studies shall deal with any other matter that may be referred to them by the Faculty. The Chairperson of the Department shall be the Chairperson of the Board. Members, other than ex- officio members, shall hold office for a term of two years:

Provided that a person whose book or any other publication is to be the subject of consideration before the Board, shall not be attached to the Board:

Provided further that a person who, in one way or the other, is involved in publication of cheap notes, guides or help books shall not be eligible to be a member of a Board of Studies.

- 31.** A degree, diploma, certificate and other academic distinctions may be withdrawn by the University-
- (a) if the candidature of the person concerned has been cancelled or result quashed in accordance with the manner laid down by the Ordinance; or
- (b) if the candidate has misbehaved at a convocation of the University:
- Provided that the question whether a person has misbehaved in terms of this Statute shall be finally decided by the Vice- Chancellor; or
- (c) when sufficient evidence is laid before the Academic Council showing that any person on whom a degree or diploma etc. was conferred by the University has been convicted of what is in their opinion a serious offence, the Academic Council may recommend to the Executive Council that such a degree or diploma be cancelled.
- 32.** Approval, recognition to a teacher may be withdrawn by the University-
- (a) if the teacher fails to perform duties in accordance with the manner laid down by the Ordinances;
- (b) if sufficient evidence is laid before the Executive Council that the teacher has committed an act which in their opinion is a serious offence, the Executive Council may withdraw approval, recognition of the teacher.
- 33.** The University shall provide for the benefits of its officers, teachers and other employees, gratuity, ex- gratia grant etc. on the pattern of the Government.
- 34.** The number and value of fellowships, scholarships, medals and prizes to be awarded shall be determined by the Executive Council either on its own initiative or on the recommendations of the Academic Council or the Finance Committee.
- 35.** (1) Notwithstanding anything contained in these Statutes, a person, who is a member of any authority or body of the University in his capacity as a member of a particular authority or body or as a holder of particular appointment, shall hold office so long only as he continues to be a member of that particular authority or body of the holder of that particular appointment, as the case may be:
- Provided that teacher-member of any authority or body of the University who resigns his services or proceeds on leave for six months or more shall cease to be a member of the respective body and a substitute shall be appointed. If the period of his leave is less than six months, his membership shall be held in abeyance till his return or the expiry of the period of six months, whichever is later. No substitute member shall be appointed or elected, where the membership is held in abeyance.
- (2) If a teacher is on leave for a period of six months or more, he shall not be eligible for nomination or re-election for that particular vacancy. He shall, however, be eligible for nomination or election in a vacancy which may arise after his return from leave.
- 36.** Notwithstanding anything contained in these Statutes or the Ordinances of the University, no person, who has been convicted of any offence involving moral turpitude or has been dismissed for misconduct from a Government or Semi-Government institution or from a university or an educational institution of any kind, shall be eligible to become, or to continue as a member of any authority of the University or of any committee appointed by the University. A person under suspension shall not be allowed to sit in any meeting of the above authorities or committees during the period of his suspension.
- 37.** If a person is debarred by the Academic Council from any work of the University on account of any kind of malpractice on his part in connection with a University examination, such a person shall be disqualified to become, or to continue as a member of any body or authority of the University so long as the bar lasts.

Withdrawal of degree/diploma etc.

Withdrawal of approval, recognition of teachers.

Gratuity, ex-gratia grant etc.

Fellowship, scholarship, medals and prizes.

Limitation of terms of membership.

Termination of membership etc.

Disqualification of membership.

Delegation of administrative and financial powers.

38. (1) The officers, teachers and other employees of the University may exercise, subject to the control of the Vice-Chancellor and the superior officers concerned, such administrative and/ or financial powers, as the Executive Council may delegate through Ordinances or Rules or Regulations or by resolutions adopted by it.

(2) The Vice-Chancellor or the Registrar with the approval of the Vice-Chancellor may delegate to an officer, teacher or any other employee of the University such powers, as he considers necessary, which have been vested in them by the Statutes, Ordinances and Regulations.

KULDIP JAIN,
Secretary to Government, Haryana,
Law and Legislative Department.