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मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 382]

भोपाल, गुरुवार, दिनांक 15 सितम्बर 2016—भाद्र 24, शक 1938

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 15 सितम्बर 2016

क्र. 14939-249-इक्कीस-अ-(प्रा.)-अधि.—मध्यप्रदेश विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 6 सितम्बर, 2016 को राज्यपाल महोदय की अनुमति प्राप्त हो चुकी है, एतद्द्वारा, सर्वसाधारण की जानकारी के लिये प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
अभिताभ मिश्र, अतिरिक्त सचिव.

MADHYA PRADESH ACT

No. 28 OF 2016

PANDIT S. N. SHUKLA UNIVERSITY ACT, 2016

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MADHYA PRADESH ACT

No. 28 OF 2016

PANDIT S. N. SHUKLA UNIVERSITY ACT, 2016

[Received the assent of the Governor on the 6th September, 2016; assent first published in the "Madhya Pradesh Gazette (Extra-ordinary)", dated the 15th September, 2016].

An Act to provide for establishment and incorporation of Pandit S.N. Shukla University at Shahdol, Madhya Pradesh to accelerate higher education, research, extension and training in all aspects of Basic Sciences, Arts, Commerce, Law and other disciplines for educational excellence and socio-economic development of educationally backward classes under upgradation scheme of one leading college qualified to status of University as per Rastriya Uchchar Shiksha Abhiyan of Government of India.

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

1. (1) This Act may be called Pandit S. N. Shukla University Act, 2016.

Short title and commencement.

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

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

Definitions.

- (a) "Academic Council" means Academic Council of the University;
- (b) "Chancellor" means Chancellor of the University;
- (c) "Dean" means Dean of School of Study of the University;
- (d) "Dean Students Welfare" means Dean of Students Welfare of the University;
- (e) "Department" means Department of the University;
- (f) "Executive Council" means Executive Council of the University;
- (g) "Finance Comptroller" means Finance Comptroller of the University;
- (h) "Governing Body" means Governing Body of the University;
- (i) "Hall" means a unit of residence, by whatever name called, for students of the University provided, maintained or recognized by it;
- (j) "prescribed" means prescribed by Statutes, Ordinances or Regulations;
- (k) "recognized institution" means an institution of higher learning maintained or recognized by, or associated with the University;
- (l) "Registrar" means Registrar of the University;
- (m) "School" means a school maintained by the University;
- (n) "Statutes", "Ordinances" and "Regulations" means respectively, the Statutes, Ordinances and Regulations of the University for the time being in force;
- (o) "University" means Pandit S. N. Shukla University established under section 3;
- (p) "University Grants Commission" means the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 (No. 3 of 1956);
- (q) "Vice-Chancellor" means Vice-Chancellor of the University.

Establishment and incorporation of the University.

3. (1) There shall be established in the State of Madhya Pradesh a University by the name of "Pandit S. N. Shukla University".

(2) The headquarters of the University shall be at Shahdol, Madhya Pradesh.

(3) The University shall be a body corporate by the name aforesaid having perpetual succession and a common seal and shall sue and be sued by the said name.

(4) The University shall be unitary and non-affiliating.

Objectives of the University.

4. The objectives of the University are as follows :—

- (i) to disseminate emerging ideology and approaches, advance knowledge, wisdom and understanding through teaching, research and extension;
- (ii) to advance knowledge by providing instructional and research facilities in such branches of learning which shall fulfil the objectives of the University;
- (iii) to establish a network in collaboration with national and international Universities, Institutions and Organizations for advanced learning of technology and techniques, modern tools and methodology, models, modules, strategies and approaches, schemes and programmes, being used in developed countries;
- (iv) to conduct integrated courses at graduation/post- graduation and higher levels in Sciences, Arts, Commerce, Law and appropriate programmes in key frontiers of technology and other disciplines to accelerate socio-economic development;
- (v) to promote in the students and teachers, and also among citizens an awareness and understanding of social needs of the country and prepare them for fulfilling such needs;
- (vi) to make special provisions for integrated courses in Science, humanities, Commerce and Law in education, research, extension and training programmes of the University;
- (vii) to document, publish and disseminate works done by the University and other relevant literature;
- (viii) to do all such things as are conducive to the attainment of all or any of the objectives of the University.

Collaboration with other institution.

5. The University may collaborate with any institution outside the State of Madhya Pradesh or abroad including overseas students for carrying out partly or wholly any of its education, research, extension and training activities, with the approval of the Governing Body.

Prohibition of discrimination in all matters connected with the University.

6. The University shall not discriminate against any citizen of India on grounds of religion, race, caste, creed, sex, place of birth, political or other opinion or any of them in the exercise of powers or performance of functions conferred or imposed upon it by or under this Act.

Powers and functions of the University.

7. The University shall have following powers and functions, namely:—

- (i) to establish Departments/Centres and such other units for education, research, extension and training as are necessary for the furtherance of its objectives;

- (ii) to organize and undertake extra-mural teaching, extension and training activities, personality and skill development, capacity building and remedial courses;
- (iii) to provide for instruction including distance and open learning education in such branches of learning as University may determine from time to time and make provision for research and advance dissemination of knowledge;
- (iv) to conduct examinations for admission and grant of diplomas or certificates to, and confer degrees and other academic distinctions on persons and to withdraw any such diplomas, certificates, degrees or other academic distinctions for reasonable and sufficient cause;
- (v) to create such teaching, technical, administrative and other posts as the University may deem necessary, from time to time, and to make appointments thereto;
- (vi) to appoint persons as Professors, Associate Professors, Assistant Professors, or otherwise recognize as teachers of the University;
- (vii) to institute and award Fellowships, Scholarships, Felicitations and prizes;
- (viii) to regulate and enforce discipline among students and employees of the University and to take such disciplinary measures in this regard as may be deemed necessary;
- (ix) to make arrangements for promoting health and general welfare of students and employees of the University;
- (x) to co-operate with any other University, authority or association or any other public or private body in India and abroad having in view the promotion of objectives similar to those of the University for such purposes as may be agreed upon, on such terms and conditions as may, from time to time, be prescribed;
- (xi) to enter into any agreement with Central Government, State Government, University Grants Commission or other authorities for receiving grants and also for the incorporation in the University of any other institution and for taking over its rights, properties and for any other purpose not repugnant to this Act;
- (xii) to demand and receive payment of such fees and other charges including for self-finance courses as may be prescribed, from time to time;
- (xiii) to receive donations and to acquire, hold, manage and dispose of any property movable or immovable, including trust or endowed property within or outside the State of Madhya Pradesh, for the objects of the University, and to invest funds in such manner as the University may deem fit;
- (xiv) to make provision for research and advisory and consultancy services, and for that purpose to enter into such agreement with other institutions or bodies as the University may deem necessary;
- (xv) to provide for the printing, reproduction and publication of research and other work which may be issued by the University;
- (xvi) to borrow, with the approval of the State Government, on the security of the University property, money for the purposes of the University affairs;
- (xvii) to confer honorary degrees and other academic distinctions in the manner laid down in the Ordinance;
- (xviii) to do all such other acts and things as may be necessary, incidental or conducive to the attainment or enlargement of all or any of the objectives of the University.

- Chancellor.** 8. (1) The Governor of Madhya Pradesh shall be Chancellor of the University.
- (2) He shall preside over the convocation for conferring degrees and shall chair meetings of the Governing Body.
- Vice-Chancellor.** 9. (1) The Vice-Chancellor shall be appointed by the Chancellor for a term of five years in such manner and with such powers and functions as prescribed in the Statute.
- (2) The Vice-Chancellor shall be the principal administrative and academic officer of the University. He shall chair the meetings of the Executive Council and Academic Council.
- (3) In the absence of the Chancellor, he shall preside over a convocation for conferring degrees and meetings of the Governing Body.
- Officers of the University.** 10. The officers of the University shall include Dean of Faculties, Dean Students Welfare, Registrar, Finance Comptroller and such other officers as may be declared by the Statutes to be the officers of the University.
- Registrar.** 11. There shall be a Registrar who shall act as Secretary of the General Body, the Executive Council and the Academic Council and who shall be appointed in such manner as specified in the Madhya Pradesh State University Service Rules, 1983 and exercise and perform such powers and duties as prescribed in the Statutes.
- Finance Comptroller.** 12. There shall be a Finance Comptroller who shall be Secretary of the Finance Committee and shall be appointed in such manner as specified in the Madhya Pradesh State University Service Rules, 1983 and exercise and perform such powers and duties as prescribed in the Statutes.
- Dean .** 13. There shall be a Dean for each School of Study who shall be appointed in such manner with such powers and duties as may be prescribed in the regulations.
- Dean Students Welfare .** 14. There shall be a Dean Students Welfare who shall be appointed in such manner with such powers and duties as may be prescribed in the regulations.
- Authorities of the University.** 15. The following shall be the authorities of the University :—
- (i) the Governing Body,
 - (ii) the Executive Council,
 - (iii) the Academic Council,
 - (iv) the Finance Committee, and
 - (v) such other authorities as may be prescribed by the Statutes.
- The Governing Body.** 16. (1) The Governing Body headed by the Governor of Madhya Pradesh shall be the supreme authority of the University. The term of its members other than ex-officio members shall be three years. The non-official members shall be nominated by the State Government in consultation with Vice-Chancellor.
- (2) The Governing Body shall have the power to review the acts of the Executive Council and the Academic Council (save when these authorities have acted in accordance with the powers conferred upon them under this Act, the Statutes or the Ordinances) and shall exercise all the powers of the University not otherwise provided for by this Act, Statutes, Ordinances or Regulations:

Provided that the power of review under this sub-section shall not be exercised except by a majority of total membership of the Governing Body and by a majority of not less than two-third of the members of the Governing Body present and voting.

(3) Quorum for a meeting of the Governing Body shall be not less than one-third of the total members of the Governing Body.

17. The Governing Body of the University shall consist of—

**Constitution of
Governing Body.**

- (i) the Chancellor of University - Chairperson;
- (ii) the Vice-Chancellor of the University - Vice-Chairperson;

Ex-Officio Members

- (iii) the Principal Secretary, Government of Madhya Pradesh, Higher Education Department or his nominee not below the rank of Deputy Secretary;
- (iv) the Principal Secretary, Government of Madhya Pradesh, Finance Department or his nominee not below the rank of Deputy Secretary;
- (v) the Principal Secretary, Government of Madhya Pradesh, Law and Legislative Affairs Department or his nominee not below the rank of Additional Secretary;
- (vi) the Commissioner, Higher Education Department or his nominee not below the rank of Additional Director;
- (vii) the Chairperson, University Grants Commission or his nominee;
- (viii) three Deans of the University nominated by the Chancellor for three years on rotation basis;
- (ix) three Professors excluding Deans of the University nominated by the Chancellor for three years on rotation basis;
- (x) the Registrar of the University - Secretary

Non-official Members

- (xi) two eminent academician having academic or research experience in the field of educational development and research;
- (xii) two ex-student/alumni or famous personality not associated with the University in any manner whatever but associated with Government/Non-Government Organisations of repute, having experience in the field of educational development.

18. (1) The Governing Body shall take all necessary actions for achievement of objectives of the University.

**Powers and
functions of
Governing Body.**

- (2) The Governing Body shall exercise the following powers:—
 - (i) make and amend Statutes of the University;
 - (ii) review the progress and ensure fulfilment of the objectives of the University;
 - (iii) accept, reject, review, quash or refer back any proposal, recommendation, decision or report of Executive Council or any body appointed under this Act;

- (iv) propose amendments in the Ordinance;
- (v) invite additional persons as special invitees over and above the members of the Governing Body;
- (vi) exercise such other powers and discharge such other functions as may be conferred upon it by the Act.

The Executive Council.

19. (1) The Executive Council shall be the executive body of the University.

(2) The terms of its members, other than ex officio members, shall be three years. The non-official members shall be nominated by the Chairperson of the Executive Council, from amongst non-official members of the Governing Body.

(3) The Executive Council shall be in charge of the general management and administration (including the revenue and property) of the University.

(4) Quorum for a meeting shall be at least one-half of the total members of Executive Council.

Constitution of Executive Council.

20. The Executive Council of the University shall consist of the following members:—

- (i) Vice-Chancellor of the University - Chairperson

Ex-Officio Members

- (ii) the Principal Secretary, Government of Madhya Pradesh, Higher Education Department or his nominee not below the rank of Deputy Secretary;
- (iii) the Principal Secretary, Government of Madhya Pradesh, Finance Department or his nominee not below the rank of Deputy Secretary;
- (iv) the Commissioner, Higher Education Department or his nominee not below the rank of Additional Director;
- (v) three Deans of University, who are the members of the Governing Body;
- (vi) Heads of the Department nominated by the Vice-Chancellor for three years by rotation;
- (vii) Registrar of the University – Secretary;

Non-official Members

- (viii) two eminent academicians, who are the members of the Governing Body;
- (ix) two eminent persons, who are the members of Governing Body.

Powers and functions of Executive Council.

21. (1) The Executive Council shall exercise the following powers and perform the following functions :—

- (i) to make and amend Regulations not inconsistent with the Ordinance and Statutes of University from time to time;
- (ii) to create, classify and determine the qualifications, emoluments, duties, service conditions, disciplinary and appellate authorities of faculty posts along with pay-scales;

- (iii) to appoint from time to time professors, associate professors, assistant professors, librarian and other members of faculty as may be necessary on the recommendation of the selection committee constituted by regulations for the purpose:

Provided that the academic posts shall be created with the prior approval of the State Government;

- (iv) to create administrative, ministerial and other necessary posts with the prior sanction of the State Government and to determine the minimum qualifications and emoluments of such posts;
- (v) to manage and regulate the finances, accounts, investments, property and all other administrative affairs of the University and for that purpose, to appoint such agents as it may deem fit;
- (vi) to acquire by purchase, gift, exchange, lease, hire or otherwise, movable or immovable property or funds, not inconsistent with objectives of University and the provisions of this Act;
- (vii) to sell, mortgage, charge, lease, exchange or otherwise transfer or dispose of any movable or immovable property of the University;
- (viii) to borrow or raise moneys which may be required for the purpose of the University, upon bonds, debentures and promissory notes or other obligations or securities of the University by mortgage, charge, hypothecation or pledge of any movable or immovable property of the University;
- (ix) to consider reports of enquiry in disciplinary proceedings against faculty where it is proposed to award them major punishment as per Statutes of the University;
- (x) to act as the appellate authority in service matters of employees as per the provisions contained in the Ordinance;
- (xi) to consider and approve:
- (a) annual report;
 - (b) annual accounts and auditor's report;
 - (c) annual budget;
- (xii) to sanction expenditure on recurring and non-recurring items as approved in the budget;
- (xiii) to re-appropriate funds from one budget head to another;
- (xiv) to scrutinise and recommend all matters before they are placed for consideration of the Governing Body;
- (xv) to give approval for engineering works, purchase of capital equipment and implementation of schemes and projects of monetary value above such limits as may be determined by the Executive Council from time to time;
- (xvi) to select a common seal for the University and provide for the custody and use of such seal;

(xvii) to exercise such other powers and perform such other functions as may be conferred or delegated on it by the Governing Body;

(xviii) to delegate any of its powers to the Vice-Chancellor of the University or a committee appointed by it as it may deem fit.

(2) The Executive Council may:

(i) create new Departments, Research and Development Centres, Extension and Training Centres for the promotion and fulfilment of objectives of the University;

(ii) recommend to the Governing Body for creation of new Schools and Institutions subject to clearance of the Finance Department of the State Government.

The Academic Council.

22. (1) The Academic Council shall be the highest academic body of the University.

(2) The terms of its members, other than ex officio members, shall be three years.

(3) The Academic Council shall be responsible for the maintenance of standards of instructions, education and examination, and shall exercise such other powers and perform such other functions as prescribed in the Ordinance.

Constitution of Academic Council.

23. The Academic Council of the University shall consist of :—

(i) Vice-Chancellor of the University—Chairperson;

(ii) Deans, Schools of Studies;

(iii) Dean Students Welfare;

(iv) Librarian;

(v) Finance Comptroller;

(vi) all Heads of Departments;

(vii) two eminent academician who are non-official members of Governing Body, to be nominated by Chairperson;

(viii) Registrar of the University - Secretary.

Powers and functions of Academic Council.

24. The Academic Council shall have following powers and functions:—

(i) to make and amend Ordinance for admission, standards of instructions, examination, evaluation, fellowships, fees, concessions, attendance, discipline, educational advancement and academic excellence etc. so as to fulfil objectives of the University;

(ii) to advise, plan, steer, supervise, monitor and manage all academic affairs of University - education, research, extension and training, distance education, international collaboration and exchange programmes etc;

(iii) to recognize degrees and diplomas of other Universities and Institutions and to determine their equivalence in relation to the degree and diplomas of the University;

(iv) to make regulations for students to maintain discipline and decorum in campus premises including schools and departments, examination, library, hostels, sports, cultural activities, penalty and punishment, conduct, probation, punctuality etc;

- (v) to approve academic programmes and calendar, courses of education and lay down broad academic policies of the University including curriculum development, framing and revising syllabi through Board of Studies from time to time;
- (vi) to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of this Act, Statutes, Ordinances, and Regulations made thereunder;
- (vii) to report on any matter referred to it by the Governing Body or the Executive Council;
- (viii) to exercise such other powers and to perform such other duties as may be conferred or imposed on it by or under this Act.

25. (1) The Finance Committee shall consist of the following members, namely:—

**Finance
Committee.**

- (i) the Vice-Chancellor - Chairperson;
- (ii) three Deans of the University, who are members of Executive Council;
- (iii) Registrar of the University;
- (iv) Finance Comptroller of the University - Secretary.

(2) The Finance Committee shall exercise such powers and perform such duties as may be prescribed by the Statutes.

(3) The annual accounts and financial estimates of the University prepared by the Finance Comptroller shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Executive Council for approval with or without amendments.

26. (1) There shall be such number of Schools as determined by the Governing Body and such numbers of Centres and Departments of Studies as determined by the Executive Council from time to time.

**School of
Studies.**

(2) Without prejudice to the foregoing provisions, the University shall have the following Schools of Studies, initially:—

- (i) School of Biological Science;
- (ii) School of Physical Science;
- (iii) School of Mathematics and Computer Science;
- (iv) School of Social Science;
- (v) School of Commerce and Management;
- (vi) School of Language;
- (vii) School of Law and Social Justice.

(3) The Governing Body may set up Schools and Executive Council may set up Centres and Departments on the recommendation of the Academic Council.

(4) Every School of Studies shall have a Dean who shall be appointed in the manner as may be prescribed in the regulations.

(5) Every School of Studies shall consist of such Departments as shall be assigned to it by the Ordinances.

(6) Every School of Studies shall have a Board of Studies comprising of such members as may be prescribed by the Ordinances.

(7) The powers and functions of the Board of Studies shall be such as may be prescribed by the Ordinances.

Statutes.

27. Subject to the provisions of this Act, the statutes may provide for all or any of the matters of the University, namely:—

- (i) creation of Schools;
- (ii) constitution, powers and functions of Governing Body and other matters connected therewith;
- (iii) constitution, powers and functions of Executive Council and other matters connected therewith;
- (iv) constitution, powers and functions of Academic Council and other matters connected therewith;
- (v) appointment, terms and conditions, pay-scales and emoluments, powers and functions of Vice-Chancellor;
- (vi) powers and duties of the Registrar;
- (vii) all such statute as assigned in provisions of the Act;
- (viii) any other matters with the approval of Governing Body.

Statutes how made.

28. The University shall, from time to time, make new or additional Statutes or may amend or repeal the Statutes:

Provided every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall be made with the approval of the Governing Body.

Ordinances.

29. The University shall make Ordinances for all or any of the matters, namely:—

- (i) courses of study, admission, standards of instructions, conduct of examination, evaluation, fellowships, fees, concessions, attendance, discipline, educational advancement and academic excellence so as to fulfil objectives of the University;
- (ii) degrees, diplomas, certificates and other academic distinctions to be awarded by the University and qualifications of the same;
- (iii) examination leading to the degrees, diplomas, certificates of the University.
- (iv) supervision, monitoring and managing all academic affairs of University - education, research, extension and training, distance education, international collaboration and exchange programmes etc.
- (v) code of conduct, conduct rules, disciplinary actions and committees for students;
- (vi) miscellaneous and other matters which by this Ordinance or the Statutes are also to be or may be provided by the Ordinances.

Ordinances how made.

30. The first administrative and academic Ordinances shall be made by the Vice- Chancellor and Ordinances so made, shall be got approved by the Executive Council:

Provided that in case of any amendment in such Ordinances the said amendment shall be applicable from the date of approval.

31. Not inconsistent with this Act, the University shall formulate its own Regulations for appointments, terms and conditions of service, pay and allowances, retirement benefits, pension, gratuity etc. for faculty and officers and employees of the University.

Regulations.

32. The University shall, from time to time, make new or additional Regulations or may amend or repeal the Regulations:

Regulations how made.

Provided every new Regulation or addition to the Regulations or any amendment or repeal of a Regulation shall be made with the approval of Executive Council.

33. The annual report of the University shall be prepared and shall be submitted to the Executive Council on or before such date as may be prescribed.

Annual report.

34. (1) The accounts of the University shall at least once in every year, be audited by a Chartered Accountant appointed by the University. The accounts shall also be audited by the Accountant General.

Audit of accounts.

(2) A copy of the audited accounts, together with the audit report shall be presented before the Executive Council for approval.

(3) A copy of the audited account and audit report, for each financial year as approved by the Executive Council shall be submitted to the Government not more than twelve months after the end of the financial year.

35. (1) The University shall have fund called "University Fund" and all its receipts shall be credited thereto and all payments of University shall be made therefrom.

Funds of the University.

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

- (i) any rent, contribution or grant by Central or State Government or any body corporate;
- (ii) trusts, bequests, donations, endowments and other grants, if any;
- (iii) receipts from all sources including fees and charges;
- (iv) funds received from all sources for various programmes and activities like teaching, research, training, extension, seminars, symposia, workshops etc; and
- (v) all other sums received by the University from any valid source.

(3) The University Fund shall be kept in any Nationalised Bank as defined in the Reserve Bank of India Act, 1934 (No. 2 of 1934).

36. (1) The University shall confer the following degrees, namely:—

- (i) Doctor of Literature (D.Litt.) or Doctor of Sciences (D.Sc.) or Doctor of Law (LLD);
- (ii) Doctor of Philosophy (Ph.D.) in Science, Arts, Commerce and Law;
- (iii) Master of Philosophy (M.Phil.) in Science, Arts, Commerce and Law;
- (iv) Bachelors and Masters Degree of Science, Arts, Commerce and Law and allied subjects;
- (v) such other Doctors or Masters or Post Graduate or Graduate Degrees or integrated courses or foreign study exchange programmes or Diplomas or Certificates as may be prescribed through Ordinances of the University in accordance with norms

Degrees and diplomas.

of regulatory authorities viz. University Grants Commission and other National Councils established by the Government of India for the purpose.

**Honorary
degrees.**

37. Any proposal for the conferment of honorary degrees shall be made by the Academic Council to the Executive Council and the proposal if accepted by the Executive Council shall require the assent of the Chancellor for confirmation.

**Withdrawal of
degrees etc.**

38. The Academic Council may, by a special resolution passed by a majority of not less than two thirds members, withdraw any degree or academic distinction conferred on, or any certificate or diploma granted to any person by the University for good and sufficient cause:

Provided that no such resolution shall be passed until a notice in writing has been given to that person calling upon him to show cause within such time as may be specified in the notice why such resolution should not be passed and until his objections, if any and any evidence he may produce in support of them, have been considered by the Academic Council.

**State
Government to
assume financial
control in
certain
circumstances.**

39. (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 University has become insecure, it may, by a notification, declare that the finances of such 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 the giving of directions to the said University to observe such canons of financial propriety as may be specified in the direction and to the 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 University;
 - (v) a provision requiring the reduction in the number of officers, teachers and other persons employed by University;
 - (vi) 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 noncompliance 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, Madhya Pradesh Higher Education Department, be recovered from such officer as an arrear of land revenue:

Provided that no action to recover the amount of loss as an arrear 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.

40. (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 can not be carried out in accordance with the provisions of the 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 sub-section (2), (3), (4) and (5) shall from the date specified in the notification (hereinafter in this Section referred to as the appointed date), apply to the University.

Special provision for better administration of 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 one year 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 three years.

(3) As from the appointed date, the Vice-Chancellor, holding office immediately before the appointed date, shall notwithstanding that his term of office has not expired, vacate his office, and the Chancellor shall simultaneously with the issue of the notification appoint the Vice-Chancellor, who shall hold office during the period of operation of the notification:

Provided that the 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:

Provided further 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.

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

- (i) every person holding office as a member of the Executive Council or the Academic Council, as the case may be, immediately before the appointed date shall cease to hold that office;
- (ii) until the Executive Council or Academic Council, as the case may be, is reconstituted, the Vice-Chancellor appointed under sub-section (3) shall exercise the powers and perform the duties conferred or imposed by or under this Act, on 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.

(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 Executive

Council and Academic Council in accordance with the provisions of the Act and the Executive Council and Academic Council as so constituted shall begin to function on the date immediately following the date of expiry of the period of operation of the notification of the date on which the respective bodies are so constituted, whichever is later:

Provided that if the 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 Executive Council or Academic Council, as the case may be, is so constituted.

Removal of difficulties.

41. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the official Gazette, make such provisions not inconsistent with the purposes of this Act, as appear to it to be necessary or expedient for removing the difficulty.

Transitional provisions.

42. Notwithstanding anything contained in this Act and the Statutes-

- (i) the members of the Governing Body, the Executive Council and the Academic Council shall be nominated by the State Government in consultation with Vice-Chancellor and shall hold office for a term of three years;
- (ii) all assets, records and liabilities of Pandit S. N. Shukla College, Shahdol shall become assets, records and liabilities of the University with effect from the date of commencement of this Act.

Indemnity.

43. No suit, prosecution or other legal proceedings shall lie against and no damages shall be claimed from the University, the Vice-Chancellor, the authorities or officers of the University or any other person in respect of anything which is in good faith done or purported to have been done in pursuance of this Act or any Statutes, Ordinances and regulations made thereunder.