



The Gujarat Technological University Act, 2007

Act 20 of 2007

Keyword(s):

Academic Council, Affiliated College, Board, Chairman, College, University, University College, Vice-Chancellor

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the Governor on the 16th May, 2007 is hereby published for general information.

H. D. VYAS,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 20 OF 2007.

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette", on the 16th May, 2007).

AN ACT

to provide for establishment of the Gujarat Technological University in the State by law for the purpose of ensuring systematic, efficient and qualitative education in engineering and technology and to confer the status of University thereon and for the matters connected therewith or incidental thereto.

It is hereby enacted in the Fifty-eighth Year of the Republic of India as follows :-

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Gujarat Technological University Act, 2007. Short title and commencement.
- (2) This section shall come into force at once and the remaining provisions shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

- Definitions.** 2. In this Act, unless the context otherwise requires,-
- (i) "Academic Council" means the Academic Council of the University constituted under section 19;
 - (ii) "affiliated college" means a college or institution affiliated to the University under section 8 or 26;
 - (iii) "Board" means the Board of Governors of the University constituted under section 15;
 - (iv) "Chairman" means the Chairman of the Board;
 - (v) "college" means a college or an institution teaching courses leading to a diploma or a degree;
 - (vi) "Director" means the Director of the school of studies of the University appointed under section 23;
 - (vii) "Dean" means the Dean of the University appointed under section 24;
 - (viii) "Finance Committee" means the Finance Committee of University constituted under section 21;
 - (ix) "prescribed" means prescribed by the regulations;
 - (x) "Registrar" means the Registrar of the University appointed under section 25;
 - (xi) "Regulations" means the regulations of the University made under section 43;
 - (xii) "University" means the Gujarat Technological University established and incorporated under section 3;
 - (xiii) "University College" means a college, which the University may establish or maintain under this Act or a college transferred to and maintained by the University;
 - (xiv) "Vice-Chancellor" means the Vice-Chancellor of the University appointed under section 11.

CHAPTER II

THE UNIVERSITY

3. (1) There shall be established a University by the name of 'the Gujarat Technological University'.

**Establishment
and
incorporation
of University.**

(2) The Chancellor, the Vice-Chancellor, the Board, the Academic Council, the Directors, the Deans, the Registrar and all other persons who may hereafter become such officers or members so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of 'the Gujarat Technological University'.

(3) The University shall function as an affiliating University and it shall affiliate any other college, institution or University for the conferment of degrees, diplomas or grant certificates to the students admitted therein.

(4) The University shall be a body corporate by the name aforesaid, having perpetual succession and common seal with power, subject to the provisions of this Act, to acquire and hold property, to contract and shall, by the said name, sue and be sued.

4. The headquarters of the University shall be at such place as the State Government may, by notification in the *Official Gazette*, specify.

**Headquarters
of University.**

5. The objects of the University shall be to develop the knowledge of science, engineering, technology, management and environment for the advancement of quality of life of the mankind in general and in relation to the domain of engineering and technological development and applications. The prime objects of the University shall be to create centres and institutes of excellence in basic and applied science, engineering and technology in particular and other objects shall be as follows, namely:-

**Objects of
University.**

- (i) to create institutes and centres of excellence for imparting State-of-the-art education, training and research in the fields of science, engineering, technology and management in general;

- (ii) to create capabilities for development of knowledge, skill and competency at various levels;
- (iii) to create capabilities for upgrading the infrastructure of global standard for education, training and research in the areas related to engineering technology and science;
- (iv) to develop patterns of teaching and training at various levels of educational accomplishments so as to set high standards of education in science, engineering and technology;
- (v) to function as a leading resource centre for knowledge management and entrepreneurship development in the areas of science and technology;
- (vi) to provide inter-relationship for national and global participation in the fields of science, engineering, technology and management;
- (vii) to establish close linkages with industry to make teaching, training and research at the University relevant to the needs of the industry at national and global levels;
- (viii) to make such provisions as would enable affiliated colleges to undertake specialization of studies; and
- (ix) to establish, maintain or take over by agreement and manage colleges, department, centres and institutes of research or specialised studies.

University open to all irrespective of sex, religion, class, creed or opinion.

6. (1) No person shall be excluded from any office of the University or from membership of any of its authorities or bodies, committees, or from admission to any degree, diploma or other academic distinction or course of study on the sole ground of sex, race, creed, caste, class, place of birth, religious belief or political or other opinion.

(2) It shall not be lawful for the University to impose on any person any test whatsoever relating to sex, race, creed, caste, class, place of birth, religious belief or profession or political or other opinion in order to entitle him to be admitted as a teacher or a student or to hold any office or post in the

University or to qualify for any degree, diploma or other academic distinction or to enjoy or exercise any privilege of the University or any benefaction thereof.

7. Subject to the provisions of this Act, the University shall exercise the following powers and perform the following functions, namely :-

**Powers and
functions of
University.**

- (i) to administer and manage the University and to establish such Institutes and centres for research, education and instruction as are necessary for the furtherance of the objects of the University;
- (ii) to provide for instruction, training and research in such branches of knowledge or learning pertaining to science, engineering, technology and management and allied areas;
- (iii) to conduct innovative experiments in new methods and technologies in the field of science, engineering, technology and management in order to achieve international standards of such education, training and research;
- (iv) to prescribe course of study and curricula and provide for flexibility in the education systems and delivery methodologies including electronic and distance learning;
- (v) to hold examinations and confer degrees, diplomas or grant certificates and other academic distinctions or titles on persons subject to such condition as the University may determine, and to withdraw or cancel any such degrees, diplomas, certificates or other academic distinctions or titles in the prescribed manner;
- (vi) to confer honorary degrees or other distinctions in the prescribed manner;

- (vii) to establish such special centres, specialised study centres or other units for research and instruction as in the opinion of the University are necessary for the furtherance of its objects;
- (viii) to provide for printing, reproduction and publication of research and other works and to organize exhibitions, workshops, seminars, conferences, etc.;
- (ix) to sponsor and undertake research in all aspects of science, technology and management;
- (x) to offer executive developmental programmes;
- (xi) to collaborate or associate with, advise, administer, control, develop, maintain, any educational institution with like or similar objects;
- (xii) to develop and maintain linkages with educational or other institutions in any part of the world having objects wholly or partly similar to those of the University, through exchange of teachers, students and scholars and generally in such manner as may be conducive to their common objects;
- (xiii) to develop and maintain relationships with teachers, researchers and experts in any part the world for achieving the objects of the University;
- (xiv) to regulate the expenditure, manage the finances and to maintain accounts of the University;
- (xv) to receive grants, subventions, subscriptions, donations and gifts for the purpose of University and consistent with the object of the University and to enter into any agreement with Central Government, State Government, the University Grants Commission or other authorities or bodies for receiving any grants;
- (xvi) to receive funds from Industry, national and international organizations or any other sources as gifts, donations, benefactions, bequests by transfers of movable or immovable properties for the purposes and objects of the University;

- (xvii) to establish, maintain and manage halls and hostels for the residence of students and accommodation for faculty, officers and employees of the University and the guest house;
- (xviii) to supervise and control the residence and regulate the discipline of students of the University and to make arrangements for promoting their health and general welfare and cultural activities;
- (xix) to fix, demand and receive or recover fees and such other charges as may be prescribed;
- (xx) to institute and award fellowships, scholarships, prizes, medals and other awards;
- (xxi) to purchase or to take on lease or accept as gifts or otherwise any land or building or works which may be necessary or convenient for the purpose of the University on such terms and conditions as it may think fit and to construct, alter and maintain any such buildings or works;
- (xxii) to sell, exchange, lease or otherwise dispose of all or any portion of the properties of the University, movable or immovable, on such terms as it may think fit, consistent with the interest, activities and objects of the University with the previous sanction of the State Government;
- (xxiii) to draw and accept, to make and endorse, discount and negotiate promissory notes, bills of exchange, cheques or other negotiable instruments;
- (xxiv) to raise and borrow money on bond, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities on such terms and conditions as it may think fit and to pay out of the funds of the University, all expenses incidental to

- the raising of money, to repay and redeem any money borrowed with the previous sanction of the State Government;
- (xxv) to invest the funds of the University in or upon such securities and transpose any investment from time to time in such manner as it may deem fit in the interest of University;
- (xxvi) to execute conveyance regarding transfer, mortgages, leases, licenses, agreements and other conveyance in respect of the property, movable or immovable including Government securities belonging to the University or to be acquired for the purpose of the University with the previous sanction of the State Government;
- (xxvii) to admit the students for the courses offered by the University in the prescribed manner;
- (xxviii) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto;
- (xxix) to regulate and enforce discipline among the officers and employees of the University and to provide for such disciplinary measures as may be prescribed;
- (xxx) to institute professorship, associate professorship, assistant professorship, honorary professorship, adjunct professorship, readership, lectureships, endowed professorship, honorary professorship, adjunct professorship and any other teaching, academic or research posts and to prescribe qualifications for the persons to be appointed on such posts;
- (xxxi) to appoint persons as Professors; Associate Professors, Adjunct Professors, Assistant Professors, Readers, Lecturers, Registrar or otherwise as teachers or researchers of the University;
- (xxxii) to delegate all or any of its powers (except the power to make regulations) to any other officer or authority of the University;
- and

(xxxiii) to do such other acts and things as the University may consider necessary, conducive or incidental to the attainment or enlargement of all or any of the objects of the University.

8. (1) The jurisdiction of the University shall extend to the whole of the State of Gujarat.

Jurisdiction of University.

(2) No college or institution imparting education in engineering and technological subjects shall be associated in any way with or seek affiliation or admission to any privileges of any other University established by law.

(3) Notwithstanding anything contained in any other State laws for the time being in force, the colleges or institutions as may be specified by the State Government, by notification in the *Official Gazette*, imparting education in engineering and technological subjects and affiliated to any other University established by law of the State Legislature shall cease to be affiliated from the University to which such colleges or institutions have been affiliated and such colleges or institutions shall be deemed to be affiliated to the University from such date as specified in the said notification.

(4) The University may impose such terms and conditions upon the colleges or institutions referred to in sub-section (2) as it may consider necessary, conducive or incidental to the attainment of all or any of the objects of the University.

9. (1) The Governor of the State shall be the Chancellor of the University. **Chancellor.**

(2) The Chancellor shall, by virtue of his office, be the head of the University and preside at any convocation of the University.

(3) The Chancellor shall have such other powers as may be conferred on him by this Act or the regulations.

Inspection and inquiry.

10. (1) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, libraries, laboratories, museum, workshop, and equipments of any college, institution or centre maintained, or affiliated to, the University, and also of the teaching, and other work conducted by the University and of the conduct of examination held by the University; and to cause an inquiry to be made in like manner in respect of any matter connected with the administration, academic affairs and finances of the University.

(2) The Chancellor shall in every case give notice to the University of its intention to cause an inspection or an inquiry to be made and the University shall be entitled to be represented thereat.

(3) The Chancellor shall communicate to the University his view with reference to results of such inspection or inquiry and advise the University the action to be taken in the matter.

(4) Where the University does not, within the reasonable time, take action to the satisfaction of the Chancellor, the Chancellor may issue such direction to the University as he thinks fit and the University shall comply with such direction.

(5) The State Government may, whenever it deems fit, cause a like inspection or inquiry to be made in the manner prescribed in sub-sections (1) to (3) and shall have, for the purposes of such inspection and inquiry, all the powers of the Chancellor under the said sub-sections.

Vice-Chancellor.

11. (1) The Vice-Chancellor of the University shall be appointed by the Chancellor in consultation with the State Government from amongst three persons recommended under sub-section (3) by a Committee appointed for the purpose under sub-section (2).

(2) (a) The Chancellor, for the purpose of sub-section (1) shall appoint a committee which shall consist of the following members, namely:-

- (i) two members to be nominated by the State Government, who shall be eminent technologists and educationists not connected with the University;
- (ii) one member, to be nominated by the All India Council of Technical Education; and
- (iii) one member, to be nominated of the University Grants Commission;

(b) The Chancellor shall appoint one of the members of the committee as its Chairman.

(3) The committee so appointed under sub-section (2) shall within such time and in such manner as directed by the State Government, select three persons whom it considers fit for being appointed as a Vice-Chancellor and shall recommend to the Chancellor the names of the persons so selected together with such other particulars it deems fit.

(4) The person to be appointed as Vice-Chancellor shall,-

- (i) be an eminent educationist, technologist, administrator industrialist having vision for human resource development,
- (ii) have been associated with Gujarat in terms of development, education, philanthropy, industrial or business development or exemplary administration in the services of the State, Corporation or the public bodies.
- (iii) not have attained the age of 65 years on the date of nomination or re-nomination.

(5) The Vice-Chancellor shall hold office for a term of three years and shall be eligible for re-nomination to that office for a further term of three years only.

(6) The emoluments and other terms and conditions for the Vice-Chancellor shall be such as may be determined by the State Government.

(7) Whenever a temporary vacancy occurs in the office of the Vice-Chancellor and it cannot be conveniently and expeditiously filled up in accordance with the provisions of sub-section (1), one of the Directors nominated by the Chancellor shall carry on the current duties of the office of the Vice-Chancellor.

(8) The Vice-Chancellor may resign from his office by writing under his hand addressed to the Chancellor and his resignation shall take effect from the date of acceptance by the Chancellor.

**Powers of
Vice-
Chancellor.**

12. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at any convocation of the University and shall preside at the meeting of the Academic Council and the Finance Committee.

(2) The Vice-Chancellor shall preside at the meeting of the Board and shall be entitled to be present with the right to speak at any meeting of any authority or body of the University. The Vice-Chancellor shall ensure that the provisions of this Act and the regulations are faithfully observed and he shall have all powers necessary for this purpose.

(3) The Vice-Chancellor shall,-

- (i) exercise general supervision and control over the affairs of the University;
- (ii) ensure implementation of the decisions of the authorities of the University;

- (iii) be responsible for imparting of instruction and maintenance of discipline in the University; and
- (iv) exercise such other powers and perform such other duties as may be assigned to him by or under this Act or the regulations or as may be delegated to him by the Board or by the Chancellor.

(4) In any emergency which, in the opinion of the Vice-Chancellor requires that immediate action should be taken, he shall take such action as he deems necessary and shall at the earlier opportunity thereafter furnish information regarding his action to such authority, body or officer as would have in the ordinary courses dealt with the matter:

Provided that if such authority, body or officer is of the opinion that such action ought not to have been taken by the Vice-Chancellor, it may refer the matter to the Board which may either confirm the action taken by the Vice-Chancellor or annul the same or modify it in such manner as it thinks fit and there upon the action shall cease to have effect, or as the case may be, shall take effect in such modified form. However, such modification or annulment shall be without prejudice to the validity of any thing previously done by or under the order of the Vice-Chancellor.

(5) Where the exercise of the powers by the Vice-Chancellor under subsection (4) involves the appointment of any person, such appointment shall be confirmed by the competent authority empowered to approve such appointment in accordance with provision of this Act and the regulations not later than six months from the date of the order of the Vice-Chancellor, otherwise such appointment shall cease to have effect on the expiration of a period of six months from the date of the order of the Vice-Chancellor.

CHAPTER III**AUTHORITIES AND OFFICERS OF UNIVERSITY**

**Authorities
of
University.**

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

- (i) the Board of Governors,
- (ii) the Academic Council,
- (iii) the Finance Committee, and
- (iv) such other bodies of the University as may be declared by the regulations, to be the authorities of the University.

**Officers of
University.**

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

- (i) the Chancellor,
- (ii) the Vice-Chancellor,
- (iii) the Directors,
- (iv) the Deans,
- (v) the Registrar, and
- (vi) such other persons in the service of the University as may be declared by the regulations, to be the officers of the University.

**Board of
Governors.**

15. (1) The Board of Governors shall be the supreme authority of the University.

(2) The Board of Governors shall consist of the following members, namely:-

- (i) the Vice-Chancellor, who shall be the Chairman of the Board,
- (ii) one Director, by rotation, to be nominated by the Vice-Chancellor,
- (iii) one Dean, by rotation, to be nominated by the Vice-Chancellor,

- (iv) the Secretary to Government (Higher and Technical Education), Education Department, Government of Gujarat, *ex-officio*,
- (v) the Secretary to Government, Finance Department, Government of Gujarat, *ex-officio*,
- (vi) the Commissioner, Higher Education, Gujarat State, *ex-officio*,
- (viii) two experts academicians, to be nominated by the Board,
- (ix) the Commissioner or the Director of Technical Education, Gujarat State, *ex-officio*,
- (x) two experts representing disciplines such as finance, legal, management and humanities, to be nominated by the Board, and
- (xi) three experts representing different industries, to be nominated by the Board.

(3) The Registrar shall be the Secretary of the Board.

16. (1) The Chairman shall preside at the meetings of the Board.

**Powers of
Chairman.**

(2) The Chairman shall exercise such other powers and perform such other functions as may be assigned to him by or under this Act or the regulations.

17. (1) Subject to the provisions of this Act, the Board shall be responsible for the general superintendence, direction and the control of the affairs of the University and shall exercise all the powers of the University, and shall have the power to review the acts of the Academic Council and the Finance Committee and other committees or authorities constituted by the University.

**Powers and
functions of
Board.**

(2) Without prejudice to the provisions of sub-section (1), the Board shall have the following powers and functions, namely:-

- (i) to take decision on question of policy relating to the administration and working of the University;
- (ii) to institute courses of study at the University;
- (iii) to make regulations;
- (iv) to consider and approve the annual report and the annual budget of the University for every financial year;
- (v) to invest moneys and funds of the University and to take decision on the recommendation of the Finance Committee;
- (vi) to publish or finance the publication of studies, treatises, books, periodicals, reports and other literature from time to time and to sell or arrange for the sale as it may deem fit;
- (vii) to create or abolish posts of teachers and officers and employees of the University;
- (viii) to appoint such committees as it considers necessary for the exercise of its powers and the performance of its duties under this Act;
- (ix) to appoint the Directors of the School of Studies of the University;
- (x) to delegate any of its powers to the Directors, Deans, Registrar or any other officers, employee or any authority of the University or to a committee appointed by it; and
- (xi) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by or under this Act or the regulations, and such other powers for achieving the objects of the University.

18. (1) Save as otherwise provided in this section, the term of a nominated member of the Board shall be three years from the date of his nomination.

**Term of office
and vacancies
among members
of Board.**

(2) The *ex-officio* member shall continue to be a member so long as he holds the office by virtue of which he is the member of the Board.

(3) Any vacancy in the Board occurring before the next reconstruction or before the expiry of the prescribed period shall be filled in the same manner as provided in section 15 and such a member shall hold office for the remainder of the term of the member in whose place he is nominated.

(4) A member shall be eligible for re-nomination for the next term.

(5) A member may resign from his office by writing under his hand addressed to the Chairman and his resignation shall take effect from the date it is accepted by the Chairman.

19. (1) The Academic Council of the University shall consist of the following members, namely:-

**Academic
Council.**

- (i) the Vice-Chancellor, who shall be the Chairman of the Academic Council;
 - (ii) two academicians or professionals, to be nominated by the Board;
 - (iii) two academicians or professionals in the fields of science, engineering, technology or management to be nominated by the Board;
 - (iv) two Directors, by rotation, to be nominated by the Vice-Chancellor;
 - (v) two Deans, by rotation, to be nominated by the Vice-Chancellor;
- and

(vi) one Professor from each discipline of the University, by rotation, to be nominated by the Vice-Chancellor.

(2) The Registrar shall be the Secretary of the Council.

(3) The term of office of the members shall be three years.

**Powers and
functions of
Academic
Council.**

20. Subject to the provisions of this Act and the regulations, the Academic Council shall exercise following powers and perform the following functions, namely:-

- (i) to exercise control over the academic policies of the University and be responsible for the maintenance and improvement of standards of instruction, education and evaluation in the University;
- (ii) to consider matters of general academic interest either on its own initiative or on a reference from the Faculty of the University or the Board and to take appropriate action thereon;
- (iii) to recommend to the Board, such regulations as are consistent with this Act regarding the academic functioning of the University including discipline of students; and
- (iv) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by the regulations.

**Finance
Committee.**

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

- (i) the Vice-Chancellor, who shall be the Chairman of the Committee;
- (ii) one member of the Board, to be nominated by the Vice-Chancellor;
- (iii) one Director, by rotation, to be nominated by the Vice-Chancellor; and

(iv) one expert in the field of finance, to be nominated by the Board.

(2) The Registrar shall be the Secretary of the Committee.

(3) The term of office of the members shall be three years.

22. Subject to the other provisions of this Act, the Finance Committee shall exercise the following powers and perform the following functions, namely:-

**Powers and
functions of
Finance
Committee.**

(i) to examine the annual account and annual budget estimates of the University and to advise the Board thereon;

(ii) to review from time to time the financial position of the University;

(iii) to make recommendation to the Board on all financial policy matters of the University;

(iv) to make recommendation to the Board on all proposals involving raising of funds, receipts and expenditures;

(v) to provide guideline for investment of surplus funds;

(vi) to make recommendation to the Board on all proposals involving expenditure for which no provision has been made in the budget or for which expenditure in excess of the amount provided in the budget needs to be incurred;

(vii) to examine all proposals relating to the revision of pay scales, up gradation of the scales and those items which are not included in the budget prior to placing before the Board; and

(viii) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by the regulations.

23. (1) The Directors shall be appointed by the Vice-Chancellor, with the approval of the Board in such manner and on such terms and conditions as may be prescribed.

Directors.

(2) The Directors shall assist the Vice-Chancellor in managing the academic, administrative and other affairs of the colleges or centres and shall exercise such powers and perform such functions as may be prescribed or entrusted to them by the Vice-Chancellor.

Deans. 24. (1) The Deans shall be appointed by the Vice-Chancellor, from amongst the Faculties of the University.

(2) The Deans shall assist the Vice-Chancellor and the respective Directors in managing the academic and other affairs of the University, colleges and centres and shall exercise such powers and perform such function as may be prescribed or entrusted to them by the Vice-Chancellor and the Director.

Registrar. 25. (1) The Registrar shall be appointed by the University in such manner and on such terms and conditions as may be prescribed.

(2) The Registrar shall,-

- (i) be responsible for the custody of records, common seal, the funds of the University and such other properties of the University;
- (ii) place before the Board and other authorities of the University, all such information and documents as may be necessary for transaction of its business;
- (iii) be responsible to the Vice-Chancellor for the proper discharge of his functions;
- (iv) be responsible for the administration and services of the University; and conduct of the examinations and make all other arrangements necessary thereof and be responsible for the execution of all processes connected therewith;
- (v) attest and execute all documents on behalf of the University;

- (vi) verify and sign the pleadings in all suits and other legal proceeding by or against the University and all processes in such suits and proceedings shall be issued to and served on the Registrar; and
- (vii) exercise such other powers and perform such other duties as may be assigned to him by or under this Act, the regulations or as may be delegated to him by the Board or by the Vice-Chancellor.

26. (1) A college or institution applying for affiliation to the University shall submit an application to the Registrar one year prior to the proposed date of starting the college: **Affiliation.**

Provided that on the recommendation of the Vice-Chancellor, the Board may, if it is satisfied that there are special reasons to do so, after recording such reasons, entertain an application for affiliation not submitted to the Registrar within the aforesaid period.

(2) Any college or institution applying for affiliation shall apply in such form alongwith such fees, in such manner and shall fulfill such norms and criteria as may be prescribed before applying for affiliation.

(3) On receipt of an application made under sub-section (1), the Board shall, in consultation with the Academic Council and after giving to the college or the institution an opportunity of stating its case, determine whether the college will supply a need in the locality, having regard to the type of education intended to be provided by the college, the existing provision for the same type of education made by other college in the neighborhood and the suitability of the locality where the college is to be established and comply with the provision of the Act and the regulations, record its opinion as to whether the application should be granted or refused either in whole or in part and communicate the decision to the college.

(4) Where an application for affiliation or any part thereof is granted, the order of the Board shall specify the courses of the instructions in respect of which the college is affiliated and where the application or any part thereof is refused, the grounds of such refusal shall be recorded and shall be communicated to the college.

(5) Any college of institution not satisfied with the decision of the Board under sub-section (4), may prefer an appeal to the State Government within sixty days from the date of communication of such decision or order and the decision of the State Government on such appeal shall be final.

Extension of affiliation.

27. Where an affiliated college desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed under section 26, shall as far as possible, be followed.

Inspection of colleges and report.

28. (1) Every affiliated college shall furnish such reports, returns and other information as the Board after consulting the Academic Council may require in order to judge the efficiency of such college.

(2) The Board shall cause every such college to be inspected from time to time by the inspection committee consisting of the Director who shall be the Chairman and such other members, as may be appointed by the Board in accordance with the regulations.

(3) It shall be the duty of the inspection committee on the direction by the Board in this behalf, to inspect an affiliated college, and make a report to the Board.

(4) The Board may call upon the college so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in section 26.

Withdrawal of affiliation.

29. (1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to carry out any of the

provisions of section 26 or the regulations or has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.

(2) A motion for the withdrawal or the modification of such rights shall be initiated only in the Board. The member of the Board who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking such motion into consideration, the Board shall send a copy of the notice and written statement referred to in sub-section (2), to the principal of the college concerned, together with intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Board:

Provided that the period so specified may, if necessary, be extended by the Board.

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Board after considering the notice of motion, statement and the representation, and after such inspection by any competent person or persons authorized by the Board in this behalf, and such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall by a resolution on the grounds stated therein, withdraw in whole or in part, or modify, the rights conferred by the affiliation and shall communicate to the concerned college:

Provided that where the views of the Academic Council with regard to the withdrawal or modification of the rights conferred by affiliation are not acceptable to the Board, it shall, before passing such resolution, refer the matter again to the Academic Council, with or without its comments and the Academic Council shall communicate again its views in the matter to the Board.

Appeal
against
withdrawal
of affiliation.

30. Any college aggrieved by the resolution withdrawing wholly or partly or modifying the rights conferred by affiliation passed under sub-section (4) of section 29, may make an appeal to the State Government within sixty days from the date of communication of the resolution and the decision of the State Government on such appeal shall be final.

Withholding
or reduction
of grant to an
affiliated
college.

31. The Board may, on recommendation of the Academic Council, recommend to the State Government withholding or reduction of grant to an affiliated college which on a report by an inspection committee or otherwise, is found to be making persistent default in carrying out the conditions of affiliation.

Post-graduate
teaching.

32. All the post-graduate instructions, teaching and training shall be conducted by the University or by the affiliated colleges in such subjects as may be prescribed and recognized by the University.

CHAPTER IV

SUPPLEMENTARY PROVISIONS

Fund of
University

33. (1) The University shall establish a fund to be called the University Fund consisting of,-

- (i) any contribution or grant or loan by the State Government and the Central Government;
- (ii) the income of the University from all sources including income from fees and charges;
- (iii) bequest, donations, gifts, endowments and other grants, if any;
- (iv) the moneys received by the University from the collaborating industry in terms of the provisions of the Memorandum of Understanding between the University and the industry, for establishment of sponsored chairs, fellowship and infrastructure facilities of the university.

(2) All funds of the University shall be deposited in such banks or invested in such manner as the Board may decide on the recommendation of the finance committee.

(3) The funds of the University shall be applied towards the expenses of the University including expenses incurred in the exercise of its power and discharge of its functions by or under this Act.

34. (1) The University shall maintain proper account and other relevant records and prepare an annual statement of accounts, including income and expenditure account and the balance sheet in such form and in such manner as may be prescribed.

**Accounts
and audit.**

(2) The University shall adopt a proper system of internal checks and balances and controls in the discharge of its financial, accounting and auditing functions as may be prescribed.

(3) The accounts of the University shall be audited every year by an auditor, who shall be the Chartered Accountant, as defined in the Chartered Accountant Act, 1949 or a firm of Chartered Accountant, to be appointed by the Board.

XXXVIII
of 1949.

(4) The accounts of the University certified by the Chartered Accountant or firm so appointed or any other person authorized in this behalf, together with audit report thereon shall be placed before the Board and the Board may issue such instructions to the University in respect therefor as it deems fit and the University shall comply with such instructions.

(5) An internal auditor shall audit the accounts of the University to ensure concurrent audit of all books of accounts and such periodical internal audit report shall be placed before the Board for review.

**Submission of
annual report.**

35. (1) The University shall prepare for each financial year an annual report for each financial year containing such particulars as the Board may specify and shall submit to the Board on or before such date may be prescribed. The Board shall consider such report and may pass resolutions thereon and thereupon the Finance Committee shall take action in accordance with such resolution. The action taken by the Financial Committee on such resolution and if no action is taken, the reasons for taking no action shall be communicated to the Board.

(2) The copy of the annual report along with the resolution of the Board thereon shall be submitted to the State Government.

**Pension and
Provident
Fund and
insurance.**

36. (1) The University shall, with approval of the Board, constitute for the benefit of its officers, teachers and other employees, in such manner and subject to such conditions as may be prescribed, such schemes of pension, provident fund and insurance as it may deem fit, and also aid in establishment and support of the associations, institutions, funds, trusts and conveyance calculated to benefit of the officers, teachers and employees of the University.

(2) Where any such provident fund has been so constituted, the provision for the Provident Funds Act, 1925 shall apply to such fund as if it were a Government Provident Fund.

19 of 1925.

XIX of 1925.

**Acts and
proceedings
not to be
invalidated
by vacancies.**

37. No act or proceeding of the Board or any Authority of the university or any committee constituted under this Act or by regulations shall be questioned on the ground merely of the existence of any vacancy in or defect of, in the constitution of such Board, Authority or committee of the University.

**Conferment of
degrees,
diplomas and
grant of
certificates by
University.**

38. Notwithstanding anything contained in any other State law for the time being in force, the University shall have powers to confer degrees, diplomas and grant certificates and confer honorary degrees and other academic distinctions and titles as approved by the Board.

39. The University shall furnish to the State Government, University Grants Commission and other statutory authorities such reports, returns, statements, documents and other information, as may be required by them from time to time.

Returns and information.

40. Every officer, teachers and other employees of the University shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Officers and employees to be public servants.

45 of 1860.

Explanation.- For the purpose of this section, any person, who is appointed by the University for a specified period or a specified work of the University or who received any remuneration by the way of compensatory allowances or fee for any work done from the University fund, shall be deemed to be an officer or employee of the University while he is performing the duties and functions connected with such appointment or work.

41. (1) No officer or employee or member of teaching, non-teaching and other academic staff of the University shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges:

Dismissal, removal, reduction and termination of service of staff of University.

Provided that nothing in this section shall apply to any person who is appointed on purely temporary basis only.

(2) An appeal against an order of dismissal, removal or reduction in rank under sub-section (1) or of termination of service shall lie to the Vice-Chancellor within sixty days from the date of communication of such order and the decision of the Vice-Chancellor in such appeal shall be final.

42. The State Government shall have power to issue directions from time to time as may be required for compliance of the provisions of this Act, the regulation and under any other law for the time being in force and the University shall comply with such directions.

Power of State Government to give directions.

**Power to
make
regulations.**

43. (1) Subject to the provisions of this Act, the Board shall have in addition to all other powers vested in it, the powers to make regulations to provide for administration and management of the affairs of the University.

(2) In particular and without prejudice to the generality of the foregoing powers, such regulations may provide for all or any of the following matters, namely:-

- (i) the summoning and holding of meetings of the authorities of the University, other than the first meeting of the Board and the quorum and conduct of business at such meeting;
- (ii) the powers and functions to be exercised and discharged by the Vice-Chancellor and the Chairman;
- (iii) the constitution, powers and duties of the authorities, bodies and other committee of the University, the qualifications and disqualifications for membership of such authorities, term of office of the membership, appointment and the removal of members thereof and other matters connected therewith;
- (iv) the procedure to be followed by the Board and any committee or the other body constituted under this Act or by the regulations in the conduct of the business, exercise of the powers and discharge of its functions;
- (v) the procedure and the criteria to be followed in establishment of courses of study and admission of students;
- (vi) the procedure to be followed for enforcing discipline in the University;
- (vii) the management of the properties of the University;
- (viii) the diplomas, the degree, the certificates and other academic distinctions and titles which may be conferred or granted by the University and withdrawal or cancellations of any such degrees, diplomas, certificates and other academic distinctions and titles and the requirements thereof;

- (ix) the conduct of examination including the term of office and appointment of examiners;
- (x) the creation of the posts of Directors, Professors, Assistant Professors, Readers, Lecturers or equivalent academic designations or posts, officers and employees of the University; and the appointment of persons to such posts including the qualifications requisite therefor;
- (xi) the fees and other charges, which may be paid to the University for the courses, training, facilities and services provided by it;
- (xii) the manner and conditions for constitutions of insurance, pensions and provident funds and such other schemes for the benefits of officers, teachers and employees of the University;
- (xiii) the terms and conditions for associations of the University with other institutions;
- (xiv) the preparation of budget estimates and maintenance of accounts;
- (xv) the mode of executing of contracts or agreements by or on behalf of the University;
- (xvi) the classification and procedure for appointment of officers, employees and staff of the University;
- (xvii) the terms and tenure of appointments, salaries and allowances, contractual services, rules of discipline and other conditions of service of the Vice-Chancellor, Director, other officers, teachers and employees of the University;
- (xviii) the terms and conditions governing deputation of teachers, officers, employees of the University;
- (xix) the power and duties of Vice-Chancellor, Director and other officers, teachers and employees of the University;

- (xx) the terms and conditions governing fellowships, scholarships, stipends, medals and prizes;
- (xxi) the authentication of the orders and the decisions of the Board;
- (xxii) the matter relating hostels and halls of residence and housing for faculty, officers and employees of the University and guest house including the disciplinary control therein; and
- (xxiii) all matters which by this Act are to be or may be prescribed.

Indemnity. 44. No suit, prosecutions or other legal proceedings shall lie against and no damage shall be claimed from the University, the Vice-Chancellor, the Director, the authorities or officers or employees of the University or any person in respect of anything which is done in good faith or purporting to be done in pursuance of this Act or any regulation made there under.

Power to remove difficulties. 45. (1) 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 provisions of this Act, as may appear to be necessary for removal difficulties:

Provided that no such order shall be made under this section after the expiry of two years for the date of commencement of this Act.

(2) Every order made under this section shall be laid as on as may be after it is made before the State Legislature.

CHAPTER V

TRANSITORY PROVISIONS

Completion of courses of students in colleges affiliated to other Universities. 46. Notwithstanding anything contained in this Act or the regulations, any student of a college or institution affiliated to other University, who immediately before the date of affiliation to the University, was studying or was eligible for any examination of the other Universities shall be permitted to complete his course in preparation therefor and the University shall provide

for such period and in such manner as may be prescribed for the instruction, teaching, training and examination of such students in accordance with the course of studies of the other University.

47. Notwithstanding anything contained in section 11, the first Vice-Chancellor shall be appointed by the State Government as soon as practicable after coming into force of this Act for a period not exceeding one year on such terms and conditions as it may think fit.

**Appointment
of first Vice-
Chancellor.**

48. Notwithstanding anything contained in section 25, the first Registrar shall be appointed by the State Government as soon as practicable after coming into force of this Act for a period not exceeding one year on such terms and conditions as it may think fit.

**Appointment of
first Registrar.**

49. (1) It shall be the duty of the first Vice-Chancellor, -

- (a) to give affiliation to the college or institution, if any, as far as possible consistently with the provisions of section 26;
- (b) to make arrangements for constituting the Academic Council, the Finance Committee and other authorities of the University; and
- (c) to frame first regulations and submit it to the respective authority for confirmation when it commences to exercise its functions.

**Transitory
power of first
Vice-Chancellor.**



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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 31st March, 2010 is hereby published for general information.

H. D. VYAS,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 9 OF 2010.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette," on the 1st April, 2010).

AN ACT

further to amend the Gujarat Technological University Act, 2007.

It is hereby enacted in the Sixty-first Year of the Republic of India as follows:-

1. This Act may be called the Gujarat Technological University (Amendment) Act, 2010. **Short title.**
2. In the Gujarat Technological University Act, 2007, in section 11, in sub-section (4), for clause (iii), the following shall be substituted, namely:- **Amendment of section 11 of Guj. 20 of 2007.**
“(iii) not have attained the age of seventy years on the date of nomination or re-nomination.”