

# The Dharmsinh Desai University Act, 2005

GUJARAT

India

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### Act 16 of 2005

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The Dharmsinh Desai University Act, 2005 Gujarat Act No. 16 of 2005 [Dated 23rd March, 2005] For Statement of Objects and Reasons see Gujarat Government Gazette Extraordinary, Part V, dated the 17th February, 2005, page-13-19 to 13-20. This Act was assented to by the Governor on the 23rd March, 2005. An Act to provide for the establishment of the Dharmsinh Desai University, Nadiad, Gujarat by law and to confer the status of a University thereon and for matters connected therewith or incidental thereto. It is hereby enacted in the Fifty-sixth Year of the Republic of India as follows:

### 1. Short title and commencement.

(1) This Act may be called the Dharmsinh Desai University Act, 2005. (2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

### 2. Definitions.

- In this Act, unless the context otherwise requires, - (a) "Academic Council" means the Academic Council of the University constituted under Section 14; (b) "Board" means the Board of Governors of the University constituted under Section 10; (c) "Chairman" means the Chairman of the board appointed under Section 11; (d) "Deans" means the Deans of the University appointed under Section 21; (e) "Finance Committee" means the Finance Committee of the University constituted under Section 16; (f) "Foundation" means the Dharmsinh Desai Foundation, Vadodara; (g) "Patron Trustee" means the Patron Trustee of the Dharmsinh Desai Foundation, Vadodara; (h) "President" means the President of the University appointed under Section 7; (i) "prescribed" means prescribed by the regulations; (j) "Registrar" means the Registrar of the University appointed under Section 20; (k) "Regulations" means the Regulations of the University made under Section 32; (l) "Society" means the Dharmsinh Desai Foundation, Vadodara, a society registered under the Societies Registration Act, 1860 (XXI of 1860); (m) "Trust" means the Dharmsinh Desai Foundation, Vadodara registered under the Bombay Public Trusts Act, 1950 (Bombay 29 of 1950); (n) "University" means the Dharmsinh Desai University, Nadiad, Gujarat, a University established under Section

3;(o)"Vice-Chancellor" means the Vice-Chancellor of the University appointed under Section 18.

### **3. Establishment and Incorporation of University.**

(1)There shall be established a University by the name of "The Dharmsinh Desai University, Nadiad, Gujarat".(2)The President, the Board, the Academic Council, the Vice-Chancellor, 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 Dharmsinh Desai University, Nadiad, Gujarat".(3)The University shall function as a non-affiliating University established under this Act and it shall not affiliate any other college or Institute for the award conferment of degree, diploma and certificate of its degree to the students admitted therein.(4)Save as provided in Clause (vi) of sub-section (1) of Section 24 of this Act, the University shall not have any new grant-in-aid or other financial assistance which it was not receiving on the date of commencement of this Act, from the State Government.(5)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.(6)In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.(7)The headquarters of the University shall be at Nadiad, Gujarat.

### **4. Objects of University.**

- The objects of the University shall be to develop the knowledge of science and technology, dental, medical, pharmacy, commerce, management and education for the advancement of mankind. The objects of the University shall be as follows, namely:(i)Disseminate, create and preserve knowledge and understanding by teaching, research, training and extension activities by effective demonstration and influence of its corporate life on society in general;(ii)to create centres of excellence for providing knowledge, education, training and research facilities of high order in the field of science and technology, dental, medical, pharmacy, commerce, management and other related professional education as per its current status and such other matters as may develop in future, including continuing education;(iii)to develop patterns of teaching for a certificate or diploma, upto undergraduate, post-graduate and doctoral level and to maintain a high standard of education and its applications; to create capabilities for upgrading science management and technology, dental, medical, pharmacy, commerce, management and technology infrastructure of the global standards.(iv)to develop training facilities in higher education including professional education and allied fields; to provide for inter-relationships for national and global participation in the field of science and technology, dental, medical, pharmacy, commerce, management and its allied fields;(v)to function as a learning resource centre;(vi)to provide for arrangement for national and global participation in the field of higher and professional education including technical education, science and technology, dental, medical, pharmacy, commerce, management; and(vii)to establish close linkage with the industry to make teaching, research and training at the University relevant to the needs of the economy, at national and global level.

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

(1) No person shall be excluded from any office of the University or from membership of any of its authorities 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 profession of 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 of 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 privileges of the University or any benefaction thereof.

## **6. Powers of functions of University.**

- Subject to the provisions of this Act, the University shall exercise the following powers and perform the following functions, namely; (i) to administer and manage the University and such 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 and technology, dental, medical, pharmacy, commerce, management and allied areas and for the advancement and dissemination of science and technology and allied areas; (iii) to conduct innovative experiments in new methods and technologies in the field of science and technology in order to achieve international standards of such education, training and research; (iv) to prescribe courses and curricula and provide for flexibility in the education system and delivery methodologies including electronic and distance learning; (v) to hold examinations through electronic mode also and confer degrees, diplomas or grant certificates, and other academic distinctions or titles on persons subject to such conditions as the University may determine, and to withdraw or cancel any such degrees, diplomas, certificates, or other academic distinctions or titles in the manner prescribed by the Regulations; (vi) to confer honorary degrees or other distinctions in the manner prescribed by the Regulations; (vii) to establish such special centres, specialized study centres or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects; (viii) to provide for printing, reproduction and publication of research and other works and to organise exhibitions; (ix) to sponsor and undertake research in all aspects of science and technology, dental, medical, pharmacy, commerce, management and allied areas; (x) to collaborate or associate with, advise, administer, control, develop, maintain, or take over by way of merger or otherwise, any educational institution with like or similar objects; (xi) to develop and maintain linkages with educational or other institutions in any part of the world having objects wholly or partially similar to those of the University, through exchange of teachers and scholars, and generally in such manner as may be conducive to their common objects; (xii) to develop and maintain relationships with teachers, researchers, and domain experts in science and technology, dental, medical, pharmacy, commerce, management and allied areas in any part of the world for achieving the objects of the University; (xiii) to regulate the expenditure and to manage the finances and to maintain accounts of the University; (xiv) to receive funds from industry, national and international organisations or any other source as gifts, donations, benefaction, bequests and by transfers of movable and immovable properties, for the purposes and objects of the University; (xv) to establish, maintain and manage halls and hostels for the residence of students; (xvi) 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.(xvii)to fix, demand and receive or recover fees and such other charges as may be prescribed by the Regulations;(xviii)to institute and award fellowships, scholarships, prizes, medals and other awards;(xix)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 and on such terms and conditions as it may think fit and proper and to construct or alter and maintain any such building or works;(xx)to sell, exchange, lease or otherwise dispose off all or any portion of the properties of the University, movable or immovable, on such terms as it may think fit and consistent with the interest, activities and objects of the University;(xxi)to draw and accept, to make and endorse, to discount and negotiate promissory notes, bills of exchange, cheques or other negotiable instruments;(xxii)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 and upon 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, and to repay and redeem any money borrowed;(xxiii)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;(xxiv)to execute conveyances regarding transfers, mortgages, leases, licenses, agreements and other conveyances in respect of property, movable or immovable including Government securities belonging to the University or to be acquired for the purpose of the University;(xxv)to admit the students for the courses offered by the University in the manner prescribed by the Regulations;(xxvi)to create academic, technical, administrative, ministerial and other posts and to make appointments thereto;(xxvii)to regulate and enforce discipline among the employees of the University and to provide for such disciplinary measures as may be prescribed by the Regulations;(xxviii)to institute professorship, associate professorship, assistant professorship, readership, lectureships and any other teaching, academic or research posts and to prescribe by Regulations qualifications for them;(xxix)to appoint persons as professors, associate professors, assistant professors, readers, lecturers or teachers and researchers of the University;(xxx)subject to the provisions of this Act and regulations, any officer or authority of the University may, by order, delegate his or its powers except the power to make regulations to any other officer or authority under his or its control and subject to the condition that the ultimate responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating them;(xxxi)to do all 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.

## **7. President.**

(1)The Patron Trustee of the Dharmsinh Desai Foundation, Vadodara shall be the President of the University for life at his pleasure. He may at his pleasure designate any other permanent trustee of the trust to be the President of the University.(2)The President shall have, subject to the provisions of this Act, power to cause an inspection or review to be made by such person or persons as he may direct, of the University, its buildings, libraries, equipments and systems and processes and of any institution or centre maintained by the University, and also of the examinations, teaching, research and other work conducted or done by the University and to cause an inquiry to be made in like

manner in respect of any matter connected with the administration and finances of the University.

## **8. Authorities of University.**

- The following shall be the authorities of the University, namely:-(a)the Board;(b)the Academic Council;(c)the Finance Committee; and(d)such other authorities as may be prescribed by the Regulations.

## **9. Officers of University.**

- The following shall be the officers of the University, namely:-(a)the Vice-Chancellor,(b)the Deans,(c)the Registrar, and(d)such other persons as may be prescribed by the Regulations.

## **10. Board of Governors.**

(1)The Board of Governors of the University shall consist of the following members, namely:-(i)the President shall be the Chairman of the Board;(ii)two representatives of the Trust;(iii)Vice-Chancellor of the University;(iv)two Deans of the University, by rotation, to be nominated by the Vice-Chancellor;(v)the Secretary to Government, (Higher and Technical Education), Education Department, Government of Gujarat;(vi)three expert academicians to be nominated by the President;(vii)three experts representing other disciplines such as finance, legal, management, humanities to be nominated by the President; and(viii)two representatives of the industries to be nominated by the President.(2)The Registrar shall be the Secretary of the Board.

## **11. Chairman of Board.**

(1)The Chairman shall preside over at the meetings of the Board and at the convocations of the University.(2)The Chairman shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Regulations.

## **12. Powers and functions of Board.**

(1)Subject to the provisions of this Act, the Board shall be responsible for the general superintendence, direction and 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.(2)Without prejudice to the provisions of sub-section (1), the Board shall have the following powers and functions, namely :-(i)to take decisions 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 accounts of the University for every financial year;(v)to invest moneys and funds of the University and take decisions on the recommendations of the Finance Committee;(vi)to publish or finance the publication of studies, treaties, books, periodicals, reports and other literature and to sell or arrange for the sale as it may deem fit from time to time;(vii)to create or abolish posts of teachers and other

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 delegate any of its powers to the Vice-Chancellor, Deans, Registrar, or any other officer, employee or authority of the University or to a committee appointed by it; and(x)to exercise such other powers and perform such other functions as may be conferred or imposed upon it by this Act or Regulations and such other powers for achieving the objects of the University.

### **13. Terms of office and vacancies among members of Board.**

(1)Save as otherwise provided in this section, the term of nominated members of the Board shall be three years from the date of nomination;(2)an ex-officio member shall continue so long as he holds the office by virtue of which he is such member;(3)any vacancy in the Board occurring before the next reconstitution or before the expiry of the prescribed period shall be filled by nomination of another person by the Presidents;(4)a member nominated under sub-section (3) shall continue for the remainder of the term of a member in whose place he is nominated;(5)an outgoing members shall be eligible for re-nomination for the next terms;(6)a member may resign his office by writing under his hand addressed to the President but he shall continue in office until his resignation has been accepted by the President.

### **14. Academic Council.**

(1)The Academic Council of the University shall consist of the following members, namely:-(i)the Vice-Chancellor of the University, ex-officio, who shall be the Chairman of the Academic Council;(ii)two academicians or professionals, to be nominated by the Board;(iii)two external academicians or professionals in the area of science and technology, to be nominated by the Vice-Chancellor;(iv)two Deans of the University, by rotation to be nominated by the Vice-Chancellor;(v)one Professor from each discipline of the University, by rotation to be nominated by the Vice-Chancellor;(vi)the Registrar who shall be the non-member secretary of the Council.(2)The term of office of the members other than the ex-officio member shall be three years.

### **15. Powers and functions of Academic Council.**

- Subject to the provisions of this Act, and the Regulations, the Academic Council of the University shall have the following powers and functions, namely:-(i)to exercise control over the academic policies of the University and shall 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 duties as may be conferred or imposed upon it by the Regulations.

## **16. Finance Committee.**

(1)The Finance Committee shall consist of the following members, namely:-(i)the Vice-Chancellor of the University, ex-officio shall be the Chairman of the committee;(ii)one member of the Board to be nominated by the President;(iii)one Dean of the University by rotation to be nominated by the Vice-Chancellor;(iv)one expert to be nominated by the President; and(v)the Registrar shall be the non-member secretary of the committee.(2)The term of office of the members other than the ex-officio member shall be three years.

## **17. Powers and functions of Finance Committee.**

- Subject to the other provisions of this Act, the Finance Committee shall exercise the following powers and perform the following functions, namely :-(i)to examine the annual accounts and annual budget estimates of the University and advise the Board thereon;(ii)to review the financial position of the University from time to time;(iii)to make recommendations to the Board on all financial policy matters of the University;(iv)to make recommendations to the Board on all proposals involving raising of funds, receipts and expenditure;(v)to provide guidelines for investment of surplus funds;(vi)to make recommendations of 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 has been incurred;(vii)to examine all proposals relating to revision of scale, upgradation of the scale and those items which are not included in the budget, before they are placed 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.

## **18. Vice-Chancellor.**

(a)The Vice-Chancellor shall be appointed by the Board out of the panel of names recommended from time to time by the committee consisting of the following members, namely:-(i)an eminent technologist to be nominated by the President;(ii)an eminent educationist to be nominated by the President; and(iii)one member of the Board to be nominated by the President.(b)The President shall designate one member as the Chairman of the committee.(c)The term of office of the Vice-Chancellor shall be determined by the Board for the period not exceeding five years.(d)Notwithstanding anything contained in clauses (a) and (c), the Vice-Chancellor of the University holding the office at the commencement of this Act, shall be deemed to have been appointed as the first Vice-Chancellor.(e)Where a vacancy in the office of Vice-Chancellor occurs and it cannot be conveniently and expeditiously filled up in accordance with the provisions of clauses (a) and (c) and if there is any emergency, the President, in consultation with the Board, may appoint any suitable person to be the Vice-Chancellor and may, from time to time, extend the term for a period not exceeding one year.(f)The terms and conditions of service of the Vice-Chancellor shall be such as may be prescribed by the Board and until so prescribed, shall be determined by the President.

## **19. Powers and duties of Vice-Chancellor.**

(1)The Vice-Chancellor shall be the Chief Executive and Academic Officer of the University. He shall preside over at the meetings of the Academic Council and Finance Committee.(2)Without prejudice to the generality of the provision contained in sub-section (1), 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 under this Act or the Regulations or as may be delegated to him by the Board or by the President.(3)Where any matter is of urgent nature requiring immediate action and the same cannot be immediately dealt with by the Chairman or authority or body of the University empowered under this Act to deal with it, the Vice-Chancellor may take such action as he may deem fit and shall forthwith report the action taken by him to the Chairman or authority or body of the University who or which, in the ordinary course, would have dealt with the matter:Provided that if such authority or other body is of the opinion that such action ought not to have been taken by the Vice-Chancellor, it may refer the matter to the Chairman who may either confirm the action taken by the Vice-Chancellor or annul the same or modify it in such manner as he thinks fit, and thereupon it shall cease to have effect or as the case may be, shall take effect in such modified form so however such modification or annulment shall be without prejudice to the validity of anything previously done by or under the orders of the Vice-Chancellor.(4)Where the exercise of the power by the Vice-Chancellor under sub-section (3) involves the appointment of any person, such appointment shall be confirmed by the competent authority empowered to approve such appointment, in accordance with the provisions of this Act and the Regulations, not later than six months from the date of the order of the Vice-Chancellor, otherwise the same shall cease to have effect on the expiration of a period of six months from the date of the order of the Vice-Chancellor.

## **20. Registrar.**

(1)The Registrar shall be appointed by the University in such manner and on such terms and conditions as may be prescribed by the Regulations.(2)The Registrar shall exercise the following powers and perform following duties, namely:-(i)he shall be responsible for the custody of records, common seal, the funds of University and such other property of the University;(ii)he shall place before the Board and other authorities of the University, all such information as may be necessary for transaction of its business;(iii)he shall be responsible to the Vice-Chancellor for the proper discharge of his functions;(iv)he shall, subject to the control of the Vice-Chancellor, be responsible for the administration and services of the University and conduct the examinations and make all other arrangements necessary thereof and be responsible for the execution of all processes connected therewith;(v)he shall attest and execute all documents on behalf of the University; and(vi)he shall exercise such other powers and perform such other duties as may be assigned to him under this Act, the Regulations or as may be delegated to him by the Board or the Vice-Chancellor.



## **21. The Deans.**

(1)The Deans of the University shall be appointed by the Vice-Chancellor, with the approval of the Chairman of the Board, from amongst the Faculty of the University.(2)The Deans shall assist the Vice-Chancellor in managing the academic and other affairs of the University and shall exercise such powers and perform such duties as may be prescribed by the Regulations or be entrusted to them by the Vice-Chancellor.

## **22. Permanent Endowment Fund of University.**

- The Trust shall place funds at the disposal of the University to be called the Permanent Endowment Fund of a sum of ten crores of rupees or a sum required for meeting the full operational expenditure of the University for three years, in long term interest bearing securities issued or guaranteed by the Central or State Government. On the termination of the involvement of the Trust and after meeting the operational expenditure for three years, out of the Permanent Endowment Fund, if there is any unused balance that shall be paid back to the Trust.

## **23. Payment to University.**

- The Trust may pay to the University from time to time such sums of money and in such manner as may be considered necessary for the exercise of its powers and discharge of its functions under this Act.

## **24. Funds of University.**

(1)The University shall have its own funds consisting of-(i)all moneys provided by the Trust;(ii)all fees and other charges received by the University;(iii)all moneys received by the University by way of grants, loans gifts, donations, benefactions, bequests or transfers.(iv)all 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, fellowships and infrastructure facilities of the University;(v)all moneys received by the University in any other manner or from any other source; and(vi)all moneys received by the University by way of grant-in-aid from the State Government for the courses which are conducted at the time of commencement of this Act.(2)All funds of the University shall be deposited in such banks or invested in such manner as the Board may decide on 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 powers and discharge of its functions.

## **25. Accounts and audit.**

(1)The University shall maintain proper accounts and other records, and prepare an annual statement of accounts, including the income and expenditure account and the balance sheet, in such form and in such manner as may be prescribed by the Regulations.(2)The University shall adopt a

proper system of internal checks and balances and controls in the discharge of its finance, accounting and auditing functions as may be prescribed by the Regulations.(3)The accounts of the University shall be audited not less than once per year by an auditor who shall be a Chartered Accountant or a firm of Chartered Accountants as defined in the Chartered Accountants Act, 1949 (XXVII of 1949) who shall be appointed by the Board.(4)The accounts of the University certified by the person or firm so appointed or any other person authorised in this behalf together with the audit report thereon shall be placed before the Board and the Board may issue such instructions to the University in respect thereof as it deems fit and the University shall comply with such instructions.(5)The accounts of the University shall be audited by an internal auditor who shall be a Chartered Accountant or a firm of Chartered Accountants appointed by the Board, to ensure concurrent audit of all books of accounts, and such periodic internal audit reports shall be placed before the Board for review.(6)The University shall prepare each year a report of its activities during the previous year and submit in the form of an annual report to the Board for review and approval.

## **26. Pension and Provident Fund.**

(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 by the Regulations, such scheme of pension, provident funds 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 the staff and the students of the University.(2)Where any such provident fund has been so constituted, the provisions of the Provident Funds Act, 1925 (XIX of 1925), shall apply to such fund as if it were a Government provident fund.

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

- No act or proceeding of the Board, or any authority of the University or any committee constituted under this Act or by the Regulations shall be questioned on the ground merely of the existence of any vacancy in or defect in the constitution of, the Board, authority or committee of the University.

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

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

## **29. Returns and information.**

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

### **30. Management of University on dissolution of trust.**

- The trust shall give a notice of not less than six months period to the State Government of its intention to dissolve the trust. Upon receipt of any notice from the trust, the State Government shall make arrangements for administration of the University from the date of dissolution of the trust and until the last batch of students in regular courses of the University complete their Courses. The expenditure for administration of the University during taken-over period of its management shall be met out of the Permanent Endowment Fund of the University. On dissolution of the trust, this fund shall be in the form of a corpus fund.

### **31. Powers of State Government.**

- The State Government shall have powers to issue directions from time to time as may be required to be followed by the University under the provisions of this Act, the Regulations made thereunder and under any other law for the time being in force.

### **32. Regulations.**

(1) Subject to the provisions of this Act, the Board shall have, in addition to all other powers vested in it, the power to make Regulations to provide for the 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 meetings; (ii) the powers and functions to be exercised and discharged by the President of the Board of the University; (iii) the constitution, powers and duties of the authorities, bodies and other committees of the University established under this Act, the qualifications and disqualifications for membership of such authorities, term of office of the membership, appointment and removal of members thereof and other matters connected therewith; (iv) the procedure to be followed by the Board and any committee or other body constituted under this Act or by the Regulations in the conduct of the business, exercise of the powers and discharge of the functions; (v) the procedure and criteria to be followed in establishing 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 degrees, diplomas, certificates and other academic distinctions and titles which may be conferred or granted by the University and withdrawal or cancellation of any such degrees, diplomas, certificates and other academic distinctions and titles and the requirements thereof; (ix) the conduct of examinations including the term of office and appointment of examiners; (X) the creation of posts of Professors, Associate 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 constitution of pension, provident funds, insurance and such other schemes for the benefit of officers, teachers, and other employees of the University; (xiii) the terms and conditions applicable for association of the University with other institutions; (xiv) the preparation of budget

estimates and maintenance of accounts;(xv)the mode of execution of contracts or agreement by or on behalf of the University;(xvi)the classification and procedure for appointment of officers 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, other officers, teachers and employees of the University;(xviii)the terms and conditions governing deputation of officers and staff of the University;(xix)the powers and duties of the Vice-Chancellor and other officers, teachers and employees of the University;(xx)the terms and conditions governing fellowship, scholarships, stipends, medals and prizes;(xxi)the authentication of the orders and decisions of the Board;(xxii)the matters relating to hostels and halls of residence including disciplinary control therein; and(xxiii)all matters which, by this Act, are to be or may be prescribed by the Regulations.

### **33. Removal of difficulties at commencement.**

- 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 giving effect to the provisions of this Act and the Regulations, the President of the University may, at any time, before all authorities of the University have been constituted, by order, make any appointment or do anything consistent, so far as may be, with the provisions of this Act and the Regulations, which appear to him necessary or expedient for the purpose 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 and the Regulations:Provided that before making any such order the President may ascertain and consider the opinion of the Vice-Chancellor and of such appropriate authority of the University as may have been constituted.

### **34. Transitory provisions.**

- Notwithstanding anything contained in this Act,-(1)The Vice-Chancellor may, with the prior approval of the President and subject to availability of funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act and the Regulations and for that purpose may exercise any power or perform any duties which by this Act and the Regulations are to be exercised or performed by any authority of the University until such authority comes into existence as provided by this Act and the Regulations;(2)the Board functioning as such immediately before the commencement of this Act shall continue to so function until the Board is constituted for the University under this Act, but on the constitution of the Board under this Act, the members of the Board holding office before such constitution shall cease to hold office;(3)the Academic Council functioning as such immediately before the commencement of this Act shall continue to so function until the Academic Council is constituted for the University under this Act, but on the constitution of the Academic Council under this Act, the members of the Academic Council holding office before such constitution shall cease to hold office;(4)the Finance Committee functioning as such immediately before the commencement of this Act shall continue to so function until the Finance Committee is constituted for the University under this Act, but on the constitution of the Finance Committee under this Act, the members of the Finance Committee holding office before such constitution shall cease to hold office;(5)until the first Regulations of the University are made under

this Act, the existing rules and regulations of the Dharmsinh Desai Institute of Technology, Nadiad declared as deemed University approved by the Board as in force immediately before the commencement of this Act, shall continue to apply to the University, in so far as they are not inconsistent with the provisions of this Act.

### **35. Indemnity.**

- 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 done in good faith or purporting to be done in pursuance of this Act or any Regulation made thereunder.