

Jharkhand University of Technology Act, 2011

JHARKHAND

India

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Act 18 of 2015

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Jharkhand University of Technology Act, 2011(Act No. 18 of 2015)An Act to Establish and Incorporate a Technical University in Jharkhand and to Provide for Matters Connected therewith or incidental thereto.Whereas it is necessary to promote the creation of a centre of excellence in Education and Research in Science, Technology, Engineering and Management particularly in engineering and whereas it is necessary to improve the quality of education being imparted by the existing Engineering and Technical colleges affiliated to various Universities established in Jharkhand,And Whereas, it is necessary to develop facilities for research in Engineering, Technology and Applied Sciences,And Whereas, it is necessary to impart Education and carry out Research in Engineering and Technology, Applied Sciences, and Management responsive to the global change in streams of Technology and the need of Jharkhand.And Whereas, it is expedient to establish a Technical University in Jharkhand.Be it enacted by the Governor of Jharkhand in the Sixty one year of the Republic of India as follows:-Chapter - I Preliminary

1. Short title, Commencement and extent.

- (i) This Act may be called the Jharkhand University of Technology Act, 2011.(ii)It extends to the whole of the State of Jharkhand.(iii)It shall come in to force at once but the proposed University shall come in to existence as per the provisions of Section (3) (i) of the Act.

2. Definitions.

- In this Act, unless the context otherwise requires,(i)"Existing College" means a College or an Institution, which imparts Technical Education and is run and maintained by a University established by or under the Jharkhand University of Technology Act;(ii)"Prescribed" means prescribed by the Rules;(iii)"Principal" means the Head of the College, by whatever name called, and includes where there is no Principal, a person for the time being duly appointed, to act as Principal and in the absence of the Principal or the acting Principal, the vice Principal duly appointed as such;(iv)"Rules" mean the Rules of the University made under this Act;(v)"Technical

Education" means programmes of Education, Research and Training in Engineering, Technology, Architecture, Management, Town Planning, Pharmacy, Applied Arts and Crafts, Applied Sciences and such other programmes or areas as the Central Government may in consultation with the All India Council for Technical Education by notification in the Gazette declare;(vi)"University" means the Jharkhand University of Technology established under section 3.(vii)"Affiliated College" means an Institution which has been granted affiliation by the University in accordance with the provisions of this Act;(viii)"College" means an Institution maintained by, or admitted to the privileges of the Jharkhand University of Technology by or under the provisions of this Act;(ix)"Employee" means any person appointed by the Jharkhand University of Technology and includes teachers and other staff of the Jharkhand University of Technology;(x)"Constituent College" means any College established or maintained by the University for providing courses of study qualifying students for admission to the University examinations in accordance with the Statutes prescribed and includes a College established or maintained by any other University in the State immediately before the commencement of this Act and transferred to this University subsequently;(xi)"Government" means the Government of Jharkhand.(xii)"Institution" means an institution, Organization, training centre or other establishment providing Teaching, Research, Experimentation/Practical training in Engineering, Technology Physical and Social Sciences, Architecture or Fine Arts and includes a Polytechnic;(xiii)"Registrar" means the Registrar of the University.(xiv)"Teachers" includes Professors, Associate professor, Assistant Professor, Readers and Lecturers in a College and such other persons giving instruction in a College as may be declared to be teachers;Chapter - II The University

3. Establishment and Incorporation of the University.

- (i) The University shall be construed to have come into existence from the date of notification in the official Gazette.(ii)The University shall be known by the name of The Jharkhand University of Technology, and shall have its headquarters at Ranchi.(iii)The Chancellor, Vice Chancellor, and the members of the Governing Body and Executive Council and the Academic Council for the time being holding office shall constitute a body Corporate by the name of the Jharkhand University of Technology.(iv)The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

4. Territorial Exercise of Powers.

- (i) The University shall, in the exercise of its powers under this Act, have jurisdiction over the whole of Jharkhand.Provided that the State Government may, by notification in the official Gazette, change the territorial jurisdiction of the University.(ii)All existing colleges or institutions affiliated to State universities(except the institutions affiliated to deemed University) on the date of commencement of this Act, imparting Technical Education or Education coming under the purview of All India Council for Technical Education (AICTE), New Delhi, shall be affiliated to this University.(iii)Every college or institution, other than an existing college, imparting technical education in the State, on the date of the commencement of this Act shall, with effect from such dates as may be notified in this behalf by the State Government, be deemed to be affiliated to the University established under section 3 and shall cease to be affiliated to, or associated with the

University established by or under the Jharkhand State Universities Act, 2000, hereinafter referred to in this section as erstwhile University: Provided that a student pursuing his studies in Technical Education in any College or Institution, other than an existing college, on the date of such commencement, shall be entitled and be allowed to continue and complete such study under the erstwhile University after such commencement and the erstwhile University shall hold examination of such student and confer degree or any other academic distinction on him in accordance with the procedure in force for the time being in the erstwhile University.

5. University open to all classes and creed.

- The University shall be open to all persons irrespective of class or creed: Provided that nothing in this section shall be deemed to require the university to admit to any course of study a larger number of students than may be determined by the Act. Provided further that nothing in this section shall be deemed to prevent the University from making special provision for admission of students belonging to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Disabled, Women, & Economically backward section of citizens.

6. Powers and Functions of the University.

- The University shall have the following functions namely-(i) To provide instruction and teaching leading to Bachelor's, Master's and Doctorate Degree in Engineering, Technology, Applied Sciences and Management and in such other branches of knowledge as the University may deem fit. (ii) To establish Departments, such as centers of advanced study and research in different branches of knowledge. (iii) To prescribe courses of study for Bachelor's, Master's and Doctorate degree in different branches of learning. (iv) To accord affiliation or disaffiliation to Institutions in Applied Science & Engineering, Technology and Management and in such other branches of knowledge as the University may deem fit. (v) To hold examinations and publish results of such examinations. (vi) To confer degree and other academic distinction to, and on persons who have pursued a course of study in a College or have conducted research creditably in the manner to be prescribed. (vii) To provide for the inspection and to exercise general supervision over the affairs of colleges and institutions affiliated to it. (viii) To prescribe the procedures of admission to different courses of study as per the guidelines of the AICTE/UGC and such other Central bodies governing the courses. (ix) To sponsor and undertake research in all aspects covered by it. (x) To confer honorary degrees or other distinctions in such manner as may be prescribed by Rules. (xi) To co-operate with other Universities and Institutions of higher learning and professional and individual organizations for such purpose as the University considers necessary. (xii) To institute and award Fellowships, Scholarships and Prizes and such other awards for recognition of merit as the University may deem fit. (xiii) To organize and conduct refresher courses, workshops, seminars and other programmes for teachers as well as for other staff. (xiv) To create posts, make appointments of officers and other charges as may be fixed by the Statutes, with the prior approval of the State Government. (xv) To receive gifts, donations or benefactions from the State Government or the Central Government and any other body consistent with the objects for which the University is established. (xvi) To acquire, purchase, take on lease or dispose of any property move-able or immovable for the purpose of the university with the prior approval of the State Government. (xvii) To execute deeds, leases and sign

Memorandum of Understanding, enter into contracts/cancel contracts with the prior approval of the State Government.(xviii)To enter into agreement with Government of India, State Government, UGC, AICTE and other such bodies for the furtherance of its objectives.(xix)To do all such acts, as may be necessary for, or incidental to, the exercise of all or any of the powers of the University and as may be conducive to further the objects of the university.

Chapter III

The Officers of the University

7. The Officers of the University.

- The following shall be the officers of the university, namely: -(i)The Chancellor;(ii)The Vice-Chancellor;(iii)The Registrar;(iv)The Finance Officer;(v)The Director, Curriculum Development;(vi)The Controller of Examinations; and(vii)Such other officers of the University as may be declared by the Rules to be the officers of the University.

8. The Chancellor and his Powers.

- (i) The Governor of Jharkhand shall be the Chancellor of the University and shall, by virtue of his office, be the head of the University.(ii)The Chancellor, when present, shall preside over the meetings and at any Convocation of the University.(iii)All authorities of the University shall be subordinate to the Chancellor.(iv)The Chancellor shall have the powers to inspect the University, its buildings, laboratories, workshops and equipment, any College or hostel, the teaching or examinations conducted, or any act done by the University, and to get such inspection done by such person or persons who may be directed by him and to inquire or to cause any inquiry made, in like manner, in respect of any matter connected with the University, and it shall be the duty of the officers of the concerned University and College to render necessary assistance in such inspection.Provided that the Chancellor shall, in every case, inform the Vice Chancellor of his intention to inspect or inquire or to get the inspection or inquiry conducted and the university shall be entitled to representation therein.(v)(a)The Chancellor may send the results of such inspection or inquiry to Vice-Chancellor and the Vice-Chancellor shall communicate the views of the Chancellor to the Executive Council and the Academic Council.(b)The Executive Council and the Academic Council shall report to the Chancellor within the specified period, such action, if any as has been taken or is proposed to be taken upon the results of such inspection or enquiry.(c)Where the Executive Council and the Academic Council fail to take action up to the satisfaction of the Chancellor within a reasonable time, the Chancellor may, after considering the explanation furnished or representation filed by the Executive and the Academic Council, give such direction as he considers fit and the Executive Council and the Academic Council shall at once comply.Provided that notwithstanding anything contained in sub-section (v) the Chancellor, if he deems necessary, on the basis of report received from the Vice-Chancellor or otherwise, may call for explanation from any teacher or officer of the University or Colleges affiliated to it and after the consideration on the charges, issue such directions as he deems fit, and the Vice-Chancellor, the Executive Council and the Academic Council or the Governing Body, as the case may be, shall comply with it within the

specified period.(vi)The Chancellor may, either suo moto or on a reference made to him by the Vice-Chancellor under the provisions of this Act or by the Government, by order in writing, annul any proceeding of any of the authorities of the University which is not in conformity with this Act, the Rules or any other Law for the time being in force.Provided that before making any such order the Chancellor shall call upon such authority to show cause why such an order should not be made and, if any cause is shown by such authority within the specified time, shall consider the same.(vii)The Chancellor shall have the right to suspend or dismiss any of the authorities of the University and to take measures for the interim administration of the University.Provided that before taking any such action, the Chancellor shall give an opportunity to such authority to show cause as to why such an action should not be taken.(viii)Every proposal for the conferment or withdrawal of an honorary degree shall be subject to confirmation of the Chancellor.(ix)An appeal shall lie to the Chancellor against any order of dismissal passed by the Executive Council or the Vice-Chancellor against any employee in the service of the University.(x)An appeal under sub-section (ix) shall be filed within sixty days from the date of service of the order of dismissal on the employee concerned.(xi)The Chancellor shall have power to remove the Vice-Chancellor from office by an order in writing on charges of mismanagement of funds or misconduct or for any other good and sufficient reason:Provided that no order removing the Vice-Chancellor under this sub-section shall be passed until such charges are proved by an enquiry conducted by an officer not below the rank of Secretary to Government appointed by the Chancellor for the purpose.Provided further that the Vice-Chancellor shall not be removed under this sub-section unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.(xii)The Chancellor shall have such other powers as are conferred on him by this Act or the Rules.

9. The Vice-Chancellor and his Appointment.

- (i) The Vice-Chancellor shall be appointed by the Chancellor from out of a panel of three names, recommended by a Committee constituted by the State Government.(ii)The Committee referred to in sub-section (i) shall consist of three members of whom one shall be nominated by the University Grants Commission/AICTE, one shall be elected by the Executive Council and the remaining member shall be nominated by the Government, and the Chancellor shall appoint one of the members to be the Chairman of the Committee:Provided that no person shall be eligible to be a member of the Committee if he is a member of any of the authorities of the University or an employee of the University or of a College or institution maintained or recognized by or affiliated to, the University.(iii)The Committee shall make the required recommendation within a period of three months from the date of its appointment, failing which, another such Committee shall be appointed by the Chancellor to make the required recommendation to the Chancellor, who shall appoint a Vice-Chancellor accordingly.(iv)The Vice-Chancellor shall hold office for a term of three years from the date on which he enters upon his office and shall be eligible for reappointment for another term not exceeding three years or till he attains such age as prescribed under Rules.(v)The remuneration payable to, and the other conditions of service of, the Vice-Chancellor shall be determined by the Rules.

10. Powers and the Functions of the Vice-Chancellor.

- (i) The Vice-Chancellor shall be the principal academic and executive officer of the University and all other officers of the University shall be subject to the general supervision and control of the Vice-Chancellor. (ii) The Vice-Chancellor shall be the Chairman of the Executive Council and the Academic Council and shall be entitled to be present at, and to address, any meeting of any authority of the University, but shall not be entitled to vote thereat unless he is a member of the authority concerned. (iii) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act and the Rules are observed and he shall have all the powers as necessary for this purpose. (iv) The Vice-Chancellor shall have the right to visit and inspect Institutions maintained by, or affiliated to, the University. (v) If the Vice-Chancellor is of the opinion that any order or decision which is required to be passed or made by any authority of the University is necessary to be passed or made immediately and it is not practicable to convene a meeting of the said authority for that purpose, he may pass such order or take such decision as he deems proper and place the matter before the said authority at its next meeting for ratification and where the authority differs from the Vice-Chancellor, the matter shall be referred to the Chancellor whose decision thereon shall be final. (vi) Subject to the provisions of this Act the Vice-Chancellor shall have the following powers:-(a) To make appointment to posts below the rank of Assistant Registrar and of non-teaching employees or to such posts as may be prescribed and specify their duties. (b) To suspend, dismiss or otherwise punish any employee of the University below the rank of Assistant Registrar including non-teaching employees; and (c) To take disciplinary action against students of the University: Provided that he may delegate any of the powers under this sub-section to the Registrar. (vii) The Vice-Chancellor shall have the power to convene meetings of the Executive Council or the Academic Council or any other authority of the University. (viii) It shall be the duty of the Vice-Chancellor to ensure that the proceedings of the University are carried on in accordance with the provisions of this Act and the Rules, and where the Vice-Chancellor is of opinion that any proceedings or order of an authority or the University is in violation of any provision of this Act or the Rules he may, by an order in writing, stay the operation of such proceedings or order and send a report and make a reference to the Chancellor for a final decision in accordance with provisions of sub-section (vi) of section 8. (ix) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Act or the Rules. (x) In the event of absence of the Vice-Chancellor from the headquarters or his inability to act due to reason like illness, the Chancellor may make such arrangement for performance of the duties of the Vice-Chancellor as he may deem it, during such absence. (xi) In the event of the occurrence of vacancy in the office of the Vice-Chancellor by reason of death, resignation or otherwise, the Chancellor may appoint any person to act as Vice-Chancellor until a regular appointment of Vice-Chancellor is made in accordance with section 9. Provided that the period of such interim arrangement shall not exceed six months.

11. The Registrar.

- The Registrar shall be a whole time officer of the University and shall be appointed by the Executive Council for such period and on such terms and conditions as may be prescribed by the Rules.

12. Powers and Functions of the Registrar.

- The Registrar shall be responsible for-(i)The custody of the records and the common seal of the University.(ii)maintaining a permanent record of the academic performance of students of the University including the courses taken, grades obtained, degrees awarded, prizes or other distinctions won and any other items pertaining to the academic performance of the students; and(iii)Executing all contracts on behalf of the University.(iv)Exercising such other powers and performs such other duties as may be prescribed by the Act or the Rules.(v)Representing the University in suits or proceedings by or against the University, sign Powers of Attorney and verify pleadings or depute his representative for the purpose.

13. The Finance Officer.

- (i) The Executive Council shall appoint a person selected from among a panel containing the names of officers belonging to the State/Central Finance Service/Central Revenue Service/Audit and Account Service, furnished by the Government, as the Finance Officer of the University for such period and on such terms as may be prescribed by the Rules.(ii)The Finance Officer shall be a whole-time officer of the University and shall, subject to the control of the Vice-Chancellor; exercise such powers and perform such duties as may be prescribed.

14. Other Officers of the University.

- (i) The Executive Council shall appoint the Director, Curriculum Development, the Controller of Examination and also the other officers of the University as referred to in clause (vii) of section 7, for such period and on such terms as may be prescribed.Chapter-IV The Authorities of the University

15. The Authorities of the University.

- The following shall be the authorities of the University namely,(a)The Governing Body(b)The Executive Council(c)The Finance Council(d)The Academic Council; and(e)Such other authorities as may be declared by the Statutes to be Authorities of the University.

16. The Governing Body.

- (I) The Governing Body shall consist of the following persons namely,(i)The Chancellor(ii)The Vice-Chancellor(iii)The Registrar(iv)The Secretary, Department of Science and Technology, Government of Jharkhand.(v)The Secretary, Department of Finance, Government of Jharkhand.(vi)The Secretary, Department of Industry, Government of Jharkhand.(vii)The Secretary, Department of Human Resource, Government of Jharkhand.(viii)The Secretary to the Hon'ble Governor, Government of Jharkhand.(ix)The Chairman, AICTE or his nominee.(x)Director, Science and Technology.(xi)All the Principals of the Institutions maintained by or affiliated to the University.(xii)Four eminent persons representing Industry, Research and Development, Engineering and Technology, Architecture, Fine Arts, Physical and Social Sciences and Public life

etc. (to be nominated by the Government)(xiii)The regular principals of polytechnics(xiv)The Vice-Chancellors of Ranchi University, Vinoba Bhave University, Siddhu Kanhu University, BIT, Mesra and Birsra Agriculture University.(xv)Managing Director SAIL, MECON, CCL, HEC, & Director, NIFFT and XLRI.(xvi)Two persons nominated by the Chancellor.(xvii)Two M.L.A's nominated by the State Legislative Assembly

17. Powers and Functions of the Governing Body.

- (i) The Chancellor shall be the Chairman of the Governing body and shall preside over all its meetings.(ii)The Vice-Chancellor shall act, as Member Secretary to the Governing Body.(iii)The Business of the Governing Body shall be conducted in such manner and according to such Rules of procedure as may, from time to time, be prescribed by the Rules of the University.(iv)A member of the Governing Body shall be entitled to receive such daily and travelling allowances as may from time to time, be prescribed but shall not be eligible for any remuneration.(v)No Person who has become or has been nominated as member of the Governing Body as the holder of a particular appointment or office shall continue to be a member of the Governing Body on his ceasing to be the holder of that particular appointment or Office.(vi)(a)Every Member of the Governing Body other than the Ex-Officio Member shall hold office during the pleasure of the Governor:Provided that such members shall be eligible for re-nomination, so however that no such member shall hold office successively for more than two terms;(b)A nominated member of the Governing Body may tender resignation of his membership at any time. Such resignation shall be conveyed to the Chancellor by a letter in writing by the member and the resignation shall take effect from the date of its acceptance by the Government;(vii)All casual vacancies among nominated members shall be filled by nomination by the Government.(viii)The Governing Body shall meet at least once in the year.(ix)Upon requisition in writing signed by not less than one third of the total members of the Governing Body, the meeting shall be convened, which shall not be later than fourteen days from the date of receipt of requisition aforesaid.(x)The quorum for the meeting of the Governing Body shall be one third of the total number of members or six persons whichever is less.

18. The Executive Council.

- (I) The Executive Council shall consist of the following persons namely(i)The Vice-Chancellor(ii)The Registrar(iii)The Secretary, Department of Science and Technology, Government of Jharkhand or his nominee.(iv)The Secretary, Department of Finance, Government of Jharkhand or his nominee.(v)The Secretary, Department of Industry, Government of Jharkhand or his nominee.(vi)The Secretary, Department of Human Resource, Government of Jharkhand or his nominee.(vii)The Chairman, AICTE or his nominee.(viii)Director, Science and Technology.(ix)Four Principals of the Institutions maintained by University or affiliated to the University.(x)Four eminent persons representing Industry, Research and Development, Engineering and Technology, Architecture, Fine Arts, Physical and Social Sciences and Public life etc (to be nominated by the Government)(xi)The Finance Officer.(xii)The Director, Curriculum Development.(xiii)The Controller of Examinations.(II)The Vice-Chancellor shall be the Chairman of Executive Council and shall preside over all its meetings.(III)The Registrar shall act, as Member Secretary to the Executive Council(IV)The Business of the Executive Council shall be conducted in

such manner and according to such Rules of procedure as may, from time to time, be prescribed by the Rules of the University.(V)A member of the Executive Council shall be entitled to receive such daily and travelling allowances as may from time to time, be prescribed but shall not be eligible for any remuneration.(VI)No person who has become or has been nominated as member of the Executive Council as the holder of a particular appointment or office shall continue to be a member of the Executive Council on his ceasing to be the holder of that particular appointment or Office.(VII)(a)Every Member of the Executive Council other than an Ex-Officio Member shall hold office during the pleasure of the Governor:Provided that such members shall be eligible for re-nomination, so however that no such member shall hold office successively for more than two terms;(b)A nominated member of the Executive Council may tender resignation of his membership at any time. Such resignation shall be conveyed to the Chancellor by a letter in writing by the member and the resignation shall take effect from the date of its acceptance by the Government;(VIII)All casual vacancies among nominated members shall be filled by nomination by the Government.(IX)The Executive Council shall meet at least once in 3 months and may meet often if necessary.(X)Upon requisition in writing signed by not less then one third of the total members of the Executive Council, the Vice-Chancellor shall convene a meeting thereof on a date appointed by him, which shall not be than seven days from the date of receipt of such requisition.(XI)In the absence of the Vice-Chancellor, the members present at the meeting shall choose one among themselves to preside over the meeting.(XII)The quorum for the meeting of the Executive Council shall be one - third of the total number of members or six persons whichever is less.

19. Powers and Functions of the Executive Council.

- (I) The Executive Council shall be separate Executive Body of University and shall perform the following functions, namely:-(i)To approve the budget estimates of the University presented by the Vice-Chancellor;(ii)To create posts and appoint teachers and other employees of the University in the manner prescribed;(iii)To acquire, hold or dispose off properties or accept gifts and donations, for and on behalf of the University.(iv)To arrange for investment and withdrawal of the moneys belonging to the University.(v)To determine and regulate the policies relating to the affairs of the University in accordance with the provisions of this Act and Rules made there under;(vi)To appoint such committees, either standing or temporary, as may be considered necessary for any specific or general purpose for fulfillment of the objects of the University and for ensuring the proper administration of the affairs or academic activities of the University;(vii)To promote the academic autonomy of the Colleges;(viii)To make Rules;(ix)To establish, equip and maintain the University libraries, laboratories, workshops, museums and the like'(x)To provide for Research and Development and dissemination of knowledge.(xi)To provide for allowances and travelling allowances, to institute scholarships, bursaries, medals, and prizes, and to organize exhibitions;(xii)To control and manage all colleges and hostels in the university area in the manner prescribed by the Rules;(xiii)The Executive Council shall exercise all the powers of the University not otherwise provided for and all powers requisite to give effect to the provisions of the Act.(II)Except as expressly provided by this Act, it shall be competent for the Council in the case of posts in connection with the affairs of the University to make Rules regarding the recruitment and the conditions of service of the persons appointed to such posts.

20. The Academic and the Finance Council.

- There shall be an Academic Council and a Finance Council constituted at the headquarters of the University, to assist the University in the fulfillment of its objects, the composition, powers and functions of which shall be as specified in the Statutes.

21. Constitution of the Committees by the Authorities of University.

- Every authority of the University shall have power to appoint committees which may, unless otherwise provided in this Act, consist of such members of the authority and such other persons as it may think fit.

22. Removal from Membership of any Authority.

- The Executive Council shall remove any person from the membership of any authority on the ground that such person was convicted of an offense involving moral turpitude.

23. Dispute as to the Constitution of Authority.

- Where any question arises whether a person has been duly nominated or appointed as, or is entitled to be, a member of an authority other than the Executive Council or whether any act or proceeding of an authority including the Executive Council is consistent with this Act and the Rules prescribed, it shall be referred to the Chancellor whose decision thereon shall be final.

24. Powers of the Vice-Chancellor to appoint Officers and constitute Committees temporarily.

- Notwithstanding anything in this Act, and until such time as an authority is duly constituted the Vice-Chancellor may, subject to the approval of the Chancellor, appoint any officer or constitute any committee temporarily to exercise and perform all or any of the powers and functions of such authority under this Act.

25. Legal Protection.

- No act or proceeding of the Executive Council, Academic Council, Financial Council or other body constituted under this Act shall be deemed to be invalid by reason only of any defect in the constitution thereof or the existence of any vacancy among its members or of any invalidity in the nomination or appointment of any of its members.

26. Fund of the University.

- (i) The University shall be a self-finance University which may generate fund from the following sources:- (a) Any contribution or grant as may be made by the State Government; (b) Any contribution

or grant made by the University Grants Commission or the Central Government or All India Council for Technical Education;(c)Any bequests, donations, endowments or other grants made by any private individual or institution;(d)Income received by the University from fees etc and(e)Amounts received from any other source.(ii)The amount of the said fund shall be kept in a Scheduled Bank as defined in the Reserve Bank of India Act, 1934 (Central Act No. 2 of 1934), or in a corresponding new Bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970(Central Act No. 5 of 1970) and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (Central Act no. 40 of 1980) or may be invested in such securities authorized by the Indian Trust Act, 1982(Central Act No. 11 of 1982), as may be decided by Executive Council.(iii)The said fund may be utilized for such purpose of the University and in such manner as may be prescribed by the Rules.

27. Power to Borrow.

- The University may accept moneys from the Government of India, the State Government, the University Grants Commission, and also borrow money from a Bank or a Corporation, for the purposes of the University Provided that, where the University intends to borrow money from a Bank or a Corporation or both exceeding an amount of fifty thousand rupees at a time or in the aggregate, it shall obtain the prior written approval of the Government therefore.

28. Certain Restrictions in respect of Finance Matter.

- The University shall not divert earmarked funds for other purposes, or revise scales of pay of its staff or implement any scheme which involves any matching contribution from the Government or which imposes a recurring liability on the Government, after the assistance from the sponsoring authority ceases without the prior written approval of the Government;Provided that the Executive Council may authorize the creation and filling up of posts of teachers for a period not exceeding one year, but any such post shall not be continued or created afresh for any period beyond the said period of one year without the prior written approval of the State Government.

29. Constitution of Pension, Insurance Fund etc.

- (i) The University shall constitute for the benefit of its employees in such manner and subject to such conditions as may be prescribed by the Rules, such pension, insurance, gratuity or provident fund as it may deem fit.

30. Accounts and Audits and Annual Report.

- (i) The annual accounts of the University shall be submitted by the Executive Council to the Government who shall cause an audit to be made by such person as the Government may appoint in this behalf.(ii)The accounts when audited shall be printed and copies thereof shall, together with the copies of the audit report, be submitted by the Executive Council to the Government with its comments. The Government shall, as soon as may be, after the receipt of the audit report, cause the

audit report, together with the comments of the Executive Council to be laid before the State Legislature. Chapter-VI Statutes, Ordinances and Rules

31. Statutes.

- (I) Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-(a)The constitution, powers and functions of the authorities of the University;(b)The manner of filling vacancies among members of the authorities;(c)The allowances to be paid to the members of the authorities and committees thereof(d)The procedure at meetings of the authorities including the quorum for the transaction of business at such meetings;(e)The authentication of the orders or decisions of the authorities;(f)The term of office and method of appointment and conditions of service of the Officers of the University other than the Vice-Chancellor.(g)The qualifications of the teachers and other staff of the University.(h)The classification, the method of appointment and determination of the terms and conditions of service of teachers and other staff of the University;(i)The constitution of pension, insurance, gratuity or provident fund for the benefit of the officers' teachers and other staff of the University;(j)the fees to be charged for courses of study, research, experimentation and practical training in the Constituent Colleges and for admission to the examinations for degrees, diplomas and certificates of the University.(k)The institution of fellowships, scholarships, studentships, bursaries, medals and prizes and the conditions of award thereof;(l)The establishment and maintenance of halls and hostels;(m)The conditions for residence of students of the University in the halls and hostels and the levy of fees and other charges for such residence;(n)The holding of convocations to confer degrees and diplomas;(o)The conferment of honorary degrees and academic distinctions;(p)Conditions of registration of graduates and the maintenance of register thereof;(q)All other matters necessary for carrying out all or any of the purposes of this Act.

32. Procedure for making Statutes.

- (i) The Statutes of the University with regard to matters set out in section 31(I) shall be made and notified by the Government.(ii)The Executive Council may, from time to time, make any Rules in addition to the Statutes referred to in sub-section (i) and may amend or repeal any Rule in the manner after herein provided in this section; Provided that nothing in the Statutes referred to in sub-section (i) or in any Rule made by the Executive Council under this sub- section shall adversely affect the conditions of the service of the teachers or other employees transferred to the control of the Technical University.(iii)The Academic Council may propose to the Executive Council the draft of every Rule to be made by the Executive Council and such draft shall be considered by the Executive Council at its next meeting; Provided that the Academic Council shall not propose the draft of any such Rules, any amendment of a Rule or repeal of a Rule affecting the status, powers, or constitution of any existing authority until, such authority, has been given, an opportunity to express its views on such proposal and any views so expressed shall be considered by the Executive Council.(iv)The Executive Council may consider any such draft as is referred to, in sub-section (iii) and pass the Rule or reject it or return it to the Academic Council for reconsideration, either in whole or in part, together with any amendments which it may suggest.(v)(a)Every Rule passed by the Executive Council shall be submitted to the Chancellor, who may give or withhold his assent

thereto or remit it to the Executive Council for reconsideration,(b)No Rule passed by the Executive Council shall have validity unless it is assented to by the Chancellor.

33. Powers of the Executive Council.

- If at any time, the Executive Council considers necessary to do so, it may, in consultation with the Academic Council, amend, add to or repeal the Rules by a special resolution in that behalf. Provided that every such amendment, addition or repeal-(i)Shall be consistent with this Act.(ii)Shall have no validity unless it is assented to by the Chancellor.Explanation. - For the purposes of this Act, a "special resolution", means a resolution passed at a special meeting of the Executive Council convened for the purpose, by a majority of not less than three fourths of the members present and voting.

34. Ordinances.

- (i) Subject to the provisions of this Act, the Ordinances of the University may provide for all or any of the following matters, namely :-(a)The admission of the students to the constituent colleges;(b)The courses of study leading to all degrees, diplomas and certificate of the University.(c)The conditions under which the students shall be admitted to the degree, diploma or certificate courses;(d)The conduct of examinations of the University and the conditions on which students shall be admitted to such examinations;(e)The manner in which exemptions relating to the admission of students to examinations may be given;(f)The conditions and mode of appointment and duties of examining bodies and examiners;(g)The maintenance of discipline among the students of the University;(ii)Save as otherwise provided in this section the Ordinances shall be made by the Academic Council.(iii)All Ordinances made by the Academic Council shall take effect from such date as may be fixed by the Academic Council but every Ordinance so made shall be submitted as soon as may be after it is made to the Executive Council and shall be considered by the Executive Council at its next succeeding meeting.(iv)The Executive Council shall have power, by a resolution passed by a majority of not less than two-thirds of the members present at such meeting to modify or cancel any such Ordinances and such Ordinances shall from the date such resolution have effect in such modified form or shall stand cancelled, as the case may be.

35. Rules.

- (i) The Academic Council, Faculties, Executive Council and the Finance Council of the University may, subject to the approval of the Executive Council, make Rules consistent with this Act, and the Statutes.(ii)The Rules may provide for-(a)The sending of notices to the members of each authority, the dates of meetings and the business to be transacted at their meetings and also for keeping a record of the proceedings of the meetings.(b)The procedure to be followed at the meetings and number of members required to constitute the quorum for the meetings;(c)All matters solely concerning such authority or the matters not provided for by this Act, or the Statutes.(iii)The Executive Council may refuse to approve the Rules submitted to it or may return them to the authority concerned for further consideration or may approve the Rules without modification or subject to such modifications as the Executive Council may deem fit.(iv)Rules made under this

section shall come into force on the date of their publication in the Gazette or on such other date as the Executive Council may direct. Chapter-VII Miscellaneous

36. Reservations of Seats for BC , SC & ST.

- The University shall reserve seats in constituent colleges for the members of the socially and educationally backward classes, the Scheduled Castes, Scheduled Tribes in accordance with such principles as may, from time to time, be determined by Government in this behalf.

37. Members Officers to be Public Servant.

- All members, officers and employees of the University when acting or purporting to act in pursuance of any provisions of this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

38. Protection of Act and Order.

- No suit or legal proceedings shall be instituted against, or damage claimed from, the University or its authorities, bodies or officers, for anything which is in good faith done or intended to be done, or for any order passed in good faith, in pursuance of this Act, or the Rules.

39. The Registrar to forward copy of proceeding to Government.

- The Registrar shall forward to the Government copies of the proceedings of every meeting of the Executive Council within two months of the meeting.

40. Power of Government to cause inspection of University.

- The Government shall have the right to cause inspection to be made, by such person or persons as it may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipments or any institution maintained, affiliated to or approved by, the University and also of the work conducted by the University, and to cause enquiry to be made in respect of any matter connected with the University.

41. University not to pay Dividend etc. in money.

- The University shall not pay any money to any, of its, members of staff or students any dividend, gift, diversion or bonus, except by way of prize, award or special grant.

42. Recovery of Loans etc as arrears of Land Revenue.

- Where the arrears of any loan or advance granted by the University to any college or institution or persons are not paid before the date specified therefore, the Executive Council may, without

prejudice to any other mode of recovery, issue a certificate for the recovery of the amount stated therein to be arrears of revenue to the Collector of the district concerned and the Deputy Commissioner shall proceed to recover the amount stated to be due in the said certificate, as per provisions of the Certificate Act.

43. Review Committee.

- (i) The Chancellor may appoint a committee consisting of one or more persons to make an enquiry and report in regard to the work and progress of the University in general, or in regard to any specific activity of the University. (ii) The Chancellor may on receipt of the report of the said committee made under sub-section (i) take such action and issue such directions as he considers necessary in respect of any matter dealt within the said report and the University shall be bound to comply with such directions.

44. Annual Report of the University.

- The Executive Council shall prepare an annual report of the University under the direction of the Vice-Chancellor and submit the said report to the Government within one month of its annual meeting at which the said report was considered.

45. Repeal and Saving.

- (i) On and from the date of commencement of this Act, and the University coming into existence as per Section (3) of this Act, the provisions of the Jharkhand Universities Act 2000, shall cease to apply to and in respect of the colleges, institutions or Departments disaffiliated from other Universities and affiliated to the University under the provisions of this Act. (ii) Such cessation shall not affect- (a) The previous operation of the said Acts, or (b) Any penalty, forfeiture or punishment, incurred in respect of any offence committed under the said Acts or (c) Any investigation, legal proceeding or remedy in respect of such penalty, forfeiture or punishment, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

46. Removal of Doubts and Difficulties.

- If any doubt or difficulty arises as to the first constitution of any authority of the University or as to the reconstitution thereof after the commencement of this Act, or otherwise, in giving effect to the provisions of this Act, the Government may, by order, do anything not inconsistent with the provisions of this Act which appears to be necessary or expedient for the purpose of removing the doubt or difficulty: Provided that no such order shall be made under this section after the expiry of two years from the commencement of this Act in respect of the first committee of any such authority.