

State University of Performing and Visual Arts, Rohtak Act, 2014

HARYANA

India

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Act 24 of 2014

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State University of Performing and Visual Arts, Rohtak Act, 2014(Haryana Act No. 24 of 2014)Last Updated 7th September, 2019[Dated 25.07.2014]An Act to upgrade the integrated campus of Government Technical Institutions) Society Rohtak comprising of four institutes namely State Institute of Fine Arts, State Institute of Design, State Institute of Film and Television and State Institute of Urban Planning and Architecture into a leading University to facilitate and promote studies and research in emerging areas of higher education with focus on new frontiers of Design, Fine Arts, Film and Television, Urban Planning and Architecture, and also to achieve excellence in these and connected fields.Be it enacted by of the Legislature of the State of Haryana in the Sixty-fifth year of the Republic of India as follows:-

1. Short title and commencement.

(1)This Act may be called State University of Performing and Visual Arts, Rohtak Act, 2014.(2)It shall come into force at once.

2. Definitions.

- In this Act and in all Statutes, Ordinances and Regulations made hereunder unless the context otherwise requires, -(a)"All India Council for Technical Education" means All India Council for Technical Education established under the All India Council for Technical Education Act, 1987 (Central Act 52 of 1987);(b)"appointed day" means the day on which this Act shall come into force;(c)"Council of Architecture" means the Council constituted under section 3 of the Architects Act, 1972 (Central Act 20 of 1972);(d)"Council of Scientific and Industrial Research" means the Council of Scientific and Industrial Research, New Delhi, an agency of the Government of India;(e)"employee" means any person appointed by the University and includes teachers and all other staff of the University;(f)"fee" means fee collected by the University from the students by

whatever name called, which is not refundable;(g)"Government" means the Government of the State of Haryana in the administrative department;(h)"Performing and Visual Arts" mean the form of art such as fine arts, design, urban planning and architecture, film and television, ceramics, drawing, painting, sculpture, print making, crafts, photography, video, film making, and involve aspects of the visual arts as well as other related areas;(i)"Schedule" means Schedule appended to this Act;(j)"State" means the State of Haryana;(k)"Society" means Government Technical Institution Society, Rohtak registered vide No. 01 year 2007-08, dated 28.06.2007 under section 21 of the Societies Registration Act, 1860;(l)"Statutes", "Ordinances" and "Regulations" mean respectively the Statutes, Ordinances and Regulations of the University made under this Act;(m)"University" means State University of Performing and Visual Arts, Rohtak, as incorporated under this Act;(n)"University Grants Commission" means the Commission established under section 4 of the University Grants Commission Act, 1956 (Central Act 3 of 1956);(o)"University teachers" mean Professors, Associate Professors, Assistant Professors and such other persons, as may be appointed for imparting instructions or conducting research in the University or in any institution maintained by the University and are designated as teachers by the Ordinances.

3. Incorporation.

(1)There shall be a body corporate by the name of State University of Performing and Visual Arts, Rohtak comprising of the Chancellor, the Vice-Chancellor, the members of the Court, the Executive Council, the Academic Council and all persons, who may hereafter become or be appointed as such officers or members, so long as they continue to hold such office or membership.(2)The University shall have perpetual session and a common seal with power to acquire, hold and dispose of property and an contract, and may by the said name sue or be sued.

4. Bar on conferring grant or issuing degrees diplomas or certificates by unauthorized institutions.

(1)Notwithstanding anything continued in this Act or any other State law for the time being in force, no person or institution other than the University, shall confer, grant or issue or hold himself or itself out as entitled to confer grant or issue any degree, diploma or certificate in the specified area of knowledge assigned to it within the territorial jurisdiction of the University which is identical with or is a colourable imitation of any degree, diploma or certificate conferred, granted or issued by the University.(2)Contravention of the provisions of sub-section (1) shall be an offence.(3)Where an offence under this section has been committed by an institution, every person in charge of and responsible to the institution for the conduct of its business at the time of the commission of the offence, shall be deemed to be guilty of the offence and shall be liable to be proceeded against as per law.(4)Notwithstanding anything contained in sub-section (3), where an offence under this section has been committed by an institution and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of any partner, director, manager, secretary or other officer of the institution, such partner, director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished as per law.Explanation. - For the purposes of this section, "institution" means any body corporate and includes a firm or other association of

individuals.

5. Vesting of assets and liabilities.

(1) All properties, movable and immovable and all the interests of whatsoever nature and kind therein owned by the Society, courses run thereunder and all the posts created and filled, whole staff of officers and officials working in the said institutions before the commencement of this Act, shall vest in the University: Provided that the only that staff of the officers and officials shall be taken over who fulfils the qualifications if any prescribed by the University Grants Commission and if a person does not fulfils the qualifications for a post, for which University Grants Commission has laid down the qualifications, then he shall be adjusted against the post for which he fulfils the qualifications. (2) All debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done in respect of the University shall be deemed to have been incurred, entered into, or engaged to be done by, with or for the University.

6. Power and Functions of the University.

- The University shall exercise the following powers and perform the following functions, namely :- (a) to provide facilities and promote studies and research in emerging areas of fine arts, design, urban planning and architecture, film and television, including new frontiers of fine arts, design, urban planning and architecture, film and television and also to achieve excellence in these and connected fields; (b) to hold examinations and grant degrees, diplomas and other academic distinctions or titles to persons in the fields of emerging areas of fine arts, design, urban planning and architecture, film and television, including new frontiers of fine arts, design, urban planning and architecture, film and television and also to achieve excellence in these and connected fields etc.; (c) to confer honorary degrees or other distinctions on approved persons, in the manner laid down in the Statutes; (d) to institute prizes, medals, research studentships, exhibitions and fellowships; (e) to receive gifts, donations or benefactions from the Government and to receive gifts, donation and transfers of movable or immovable property from transferors, donors, testators, as the case may be and to create such corpus fund with the donations so received for the welfare of the University; (f) to institute principalship, professorship, associate professorship, assistant professorship and to create other posts of any description required by the University and to appoint persons to such posts; (g) to co-operate with educational and other institutions in India and abroad having objectives similar to those of the University in such manner, as may be conducive to their common goals; (h) to provide instructions, including correspondence and such other courses, to such persons as are not members of the University, as it may determine; (i) to borrow with the approval of the Government, on the security of the property of the University, money for the purposes of the University; (j) to supervise, control and regulate the residence, conduct and discipline of the students of the University and institutions within the jurisdiction of the University; (k) to acquire, hold, manage, lease or dispose of any property, movable or immovable including trust and endowment properties, for the purpose of the University; (l) to assess the needs of the State and the country in terms of subjects, fields of specialization, levels of education and training of manpower both on short and long term basis and to initiate necessary programmes to meet those needs; (m) to organize training, advanced studies and research programmes based on a deep understanding of the trends

in design, performing and visual arts, architecture, as the University may think fit;(n)to promote research, design and developmental activities that have a relevance to social needs and the development programmes of the State;(o)to initiate measures to enlist the private sector and Government employers to provide complementary facilities;(p)to provide for continuous experimentation in imparting knowledge, organization of training and preparation of textbooks and other instrumental materials;(q)to arrange for progressive introduction of continuous evaluation and reorientation of the subject in educational measurement;(r)to further entrepreneurial ability among its students;(s)to educate the public with regard to the requirement of, and opportunities in the profession of Fine Arts, Design, urban planning and architecture, film and Television and its responsibilities and service to the society.

7. University Open to all races, classes, castes and creeds.

- The University shall be open to all persons irrespective of sex, race, creed, religion, caste or class; and no test or condition shall be imposed as to religion, belief or profession in admitting or appointing members, students, teachers, workers or in any other connection whatsoever and no benefaction shall be accepted which in the opinion of the authorities of the University involves conditions or obligations opposed to the spirit and objectives of this provision: Provided that nothing contained in this section shall be deemed to prevent the University from making any special provisions in respect of weaker sections of the society and in particular Scheduled Castes and Scheduled Tribes, Other Backward Classes and Special Backward Classes etc.

8. Teaching of University.

- All teaching in the University shall be conducted by and in the name of the University, in accordance with the Statutes, Ordinances and Regulations made in this behalf.

9. Officers of University.

- The following shall be the officers of the University, namely: -(i)the Chancellor;(ii)the Vice-Chancellor;(iii)the Controller of Finance;(iv)Deans;(v)Registrar; and(vi)such other persons in the service of the University, as may be declared by the Statutes to be Officers of the University.

10. Chancellor.

(1)The Governor of Haryana by virtue of his office shall be the Chancellor of the University.(2)The Chancellor shall be the head of the University.(3)The Chancellor shall, if present, preside over the convocation of the University for conferring degrees and meetings of the Court.(4)The Chancellor shall have the right-(i)to cause an inspection to be made, by such person or persons as he may direct, of the University, its buildings, laboratories and equipment and of any institution maintained by the University and also of the examinations, teaching and other work conducted or done by the University; and(ii)to cause an inquiry to be made in like manner in respect of any matter connected with the administration of finances of the University, colleges or institutions.(5)The Chancellor

shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made and on receipt of such notice, the University shall have the right to make such representation to the Chancellor, as it may consider necessary.(6)After considering the representation, if any, made by the University, the Chancellor may cause to be made such inspection or inquiry as is referred to in sub-section (4).(7)Where any inspection or inquiry has been caused to be made by the Chancellor, the University shall be entitled to appoint a representative, who shall have the right to be present and to be heard at such inspection or inquiry.(8)The Chancellor may, if the inspection or inquiry is made in respect of the University or any institution maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry and the Vice-Chancellor shall communicate to the Executive Council, the views of the Chancellor and the action to be taken thereon as advised by the Chancellor.(9)The Executive Council shall communicate through the Registrar to the Chancellor, such action, if any, as it proposes to take or has taken upon the result of such inspection or inquiry.(10)Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions, as he may think fit and the Executive Council shall comply with such directions.(11)Without prejudice to the foregoing provisions of this section, the Chancellor may, by order in writing, annul any proceedings of the University, which in his opinion are not in conformity with this Act, the Statutes, the Ordinances or the Regulations:Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made, and if any cause is shown within a reasonable time, he shall consider the same.(12)The Chancellor may, at any time, require or direct the University to act in conformity with the provisions of this Act, the Statutes/Organisations and Regulations made thereunder.(13)The powers exercised by the Chancellor under sub-sections (11) and (12) shall not be called in question in any Civil Court.(14)Any employee of the University, who is aggrieved by the decision of the Executive Council or the Vice-Chancellor in respect of any disciplinary action taken against him, may address a memorial to the Chancellor, in such manner, as may be prescribed by Statutes and the decision of the Chancellor shall be final.(15)The Chancellor shall have such other powers, as may be prescribed by the Statutes.

11. Vice-Chancellor.

(1)The Government shall constitute a Selection Committee consisting of Additional Chief Secretary/Principal Secretary / Secretary to Government of Haryana, Technical Education Department as Chairman, one nominee of the Chancellor and one nominee each of the Executive Council and Institutions of repute in the field of Performing and Visual Arts, which shall prepare a panel of at least three names, in alphabetical order, from which the Chancellor shall appoint the Vice-Chancellor, on the advice of the Government. The terms and conditions of service of the Vice-Chancellor shall be determined by the Chancellor, on the advice of the Government. In view of the specific fields, the Vice-Chancellor shall be a renowned personality at least of the rank of Professor from the field of Fine Arts, design, Urban Planning and Architecture, Film and Television. The Vice-Chancellor shall be appointed solely on academic considerations. He shall be a distinguished educationist having commitment to the values for which the University stands and abilities to provide leadership to the University by his academic worth, administrative competence and moral stature:Provided that the founder Vice-Chancellor shall be appointed by the Chancellor

on the recommendations of the State Government.(2)The Vice-Chancellor shall hold office for a period of three years, which may be renewed for not more than one term:Provided that he shall cease to hold the office on attaining the age of sixty-eight years irrespective of the fact that his term has not expired.(3)The Chancellor may on the advice of the Government, cause an inquiry to be held in accordance with the principles of natural justice and remove the Vice-Chancellor from office, if he is found on such inquiry, to be a person patently unfit to be continued in such office.(4)If the Vice-Chancellor is unable to perform his duties owing to his temporary incapacity on account of illness or any other reasons, or the office of the Vice-Chancellor falls vacant due to death, resignation or otherwise, the Chancellor may make arrangement for the performance of duties of the Vice-Chancellor until the existing Vice-Chancellor is able to resume his office or until a regular Vice-Chancellor is appointed, as the case may be.(5)The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.(6)The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act, except in the matters involving creation or abolition of a faculty, department or post and the matter involving appointment or removal of an employee: -Provided that the Vice-Chancellor before exercising powers under this section shall record in writing the reasons, why the matter cannot wait till the meeting of the authority concerned:Provided further that if the authority concerned is of the opinion that such action ought not to have been taken by the Vice-Chancellor, it may refer the matter to the Chancellor whose decision thereon shall be final:Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to represent to the Executive Council within one month from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.(7)The Vice-Chancellor shall exercise such other powers and perform such other duties, as may be prescribed by the Statutes or Ordinances.

12. Registrar.

(1)The Registrar shall be appointed by the Chancellor the advice of the Government. The terms and conditions of service of the Registrar shall be determined by the Chancellor, on the advice of the Government.(2)The Registrar shall be the Chief Administrative Officer of the University. He shall work directly under the superintendence, direction and control of the Vice-Chancellor.

13. Other Officers.

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

14. Authorities of the University.

- The following shall be the authorities of the University, namely:(i)the Court;(ii)the Executive Council;(iii)the Academic Council;(iv)the Finance Committee;(v)the Faculties;(vi)the Planning

Board; and(vii)such other authorities, as may be declared by die Statutes to be the authorities of the University.

15. Court.

(1)The constitution of the Court and the term of office of its members shall be prescribed by the Statutes.(2)Subject to the provisions of this Act, the Court shall have tie following powers and functions, namely: -(a)to review, from time to time, the broad polities and programmes of the University and to suggest measure for the improvement and development of the University;(b)to consider and pass resolution on the annual report, annual budget, annual account of the University and on the audit report of such accounts;(c)to advise the Chancellor in respect of any matter which may be referred to it for advice; and(d)to perform such other functions, as may be prescribed by the Statutes.

16. Executive Council.

(1)The Executive Council shall be the principal executive body of the University.(2)The constitution of the Executive Council, the term of office of the members and its powers and duties shall be such, as may be prescribed by the Statutes.

17. Academic Council.

(1)The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances, co-ordinate and exercise general supervision over all academic policies of the University.(2)The constitution of the Academic Council, the term of office of its members and its powers and duties shall be such, as may be prescribed by the Statutes.

18. Faculties.

- The constitution and functions of the faculties shall be such, as may be prescribed by the Statutes.

19. Finance Committee.

- The constitution of the Finance Committee, the term of office of its members, its powers and duties shall be such, as may be prescribed by the Statutes.

20. Planning Board.

- The constitution and functions of the Planning Board shall be such, as may he prescribed by the Statutes.

21. Statutes and their scope.

- 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 and other bodies of the University, as may be constituted from time to time.(b)the classification, mode of appointment, powers and duties of the teachers and the officers of the University;(c)the conditions of the service including provision for pension or provident fund or insurance scheme for the benefit of the employees of the University;(d)the conferment of honorary degrees;(e)the establishment and abolition of faculties and departments;(f)the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes;(g)the maintenance of discipline among the students;(h)the delegation of powers vested in the authorities or officers of the University; and(i)all other matters which by this Act are to be or may be provided for, by the Statutes.

22. Statutes how made.

(1)On the commencement of this Act the Statutes of the University shall be those as set out in the Schedule:Provided that the authorities of the University constituted under the Statutes framed before the commencement of this Act shall continue to exercise all the powers and perform all the functions under this Act, till such authorities are constituted in terms of the Statutes set out in the Schedule referred to above.(2)The Government or the Executive Council may, from time to time, make new or additional statutes or may amend or repeal the statutes in the manner hereinafter provided in this section.Provided that the executive Council shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the university until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes and any opinion so expressed shall be considered by the Executive Council.(3)The Academic Council may propose to the Executive Council a draft of any Statute relating to academic matters for consideration by the Executive Council.(4)Every new Statute or addition to the Statute or any amendment or repeal of a Statute shall require the approval of the Chancellor, who may approve, disapprove or remit it for further consideration. A Statute passed by the Government or the Executive Council shall have no validity until it has been assented to by the Chancellor.(5)Notwithstanding anything contained in the foregoing sub sections, the Chancellor, either suo motu or on the advice of the Government, may direct the Executive Council, to make, amend or repeal the Statutes in respect of any matter specified by him and if the Executive Council fails to implement such a direction within sixty days of its receipt, the Chancellor may affect considering the reasons, if any, communicated by the Executive Council for inability to comply with such direction, make, amend or repeal the Statutes suitably.

23. Ordinances and their scope.

- Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely;-(a)the admission of students to the University and their enrolled as such;(b)the courses of study to be laid down for all degrees, diplomas and certificates of the University;(c)the condition under which students shall be admitted to the degree or diploma, courses and to the examination of the university and eligibility for such degrees and diplomas;(d)the

fees to be charged from courses of study in the University and for admission to the examinations, degrees and diplomas of the University; and further to make progressively the fee structure so flexible that the courses could become self financing to the extent possible;(e)the conditions of the award of fellowships, studentships, exhibitions, medals and prizes;(f)the conduct of examinations, including the terms of office and manner of appointment and the duties of examiners and moderators;(g)the conditions of residence of students of the University; and(h)all other matters which by this Act or the Statutes are to be made or may be provided for by the Ordinances.

24. Ordinances how made.

(1)The Ordinances shall be made, amended, repealed or added to by the Executive Council:Provided that no Ordinance shall be made -(i)affecting the admission or enrolment of students or prescribing examinations to be recognized as equivalent to the University examinations; and(ii)affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examination or any courses of study,unless the draft of such an Ordinance has been proposed by the Academic Council.(2)The Executive Council may return to the Academic Council for reconsideration, either in whole or in part, any draft proposed by the Academic Council under sub-section (1) alongwith its suggestion.Provided that the Executive Council shall not amend the draft proposed by the Academic Council itself. It may, however, reject such draft, if not found suitable when submitted to it by the Academic Council for the second time.(3)All Ordinances made by the Executive Council shall have effect from such date, as it may direct and every Ordinance made shall be communicated, as soon as may be to the Chancellor,

25. Regulations.

(1)The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances -(a)laying down the procedure to be observed at their meetings; and(b)providing for all matters which by this Act, the Statutes or the Ordinances are prescribed by Regulations.(2)Every authority of the University shall make Regulationsproviding for giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings and for the keeping of a record of the proceedings of the meetings.

26. Annual report.

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

27. Funds and accounts.

(1)The University shall have a general fund to which shall be credited -(a)its income from fees,

grants, donations, fine and gifts, if any;(b)any contribution or grant made by the Central Government, the University Grants Commission, All India Council for Technical Education or like authority, any.