

Selected Statutes (Statutes framed under the Bombay University Act, 1914)

MAHARASHTRA

India

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Rule

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Chapter I Preliminary

Definitions(Under section (2) of the Act)

1.

For the purpose of section 2(9) of the Act, the term "Department" means a unit which is responsible for organising, teaching or research in a subject or group of related subjects in an affiliated, autonomous, conducted or constituent college and in an Institution or Recognised Institution, or autonomous Recognised Institution.

2.

For the purpose of section 2(27) of the Act, the term "Secondary Teachers" means full-time teachers other than Head Masters or Head Mistresses, each imparting instruction to the Higher Secondary Classes in a recognised Higher Secondary School.

3. For the purposes of the Act.

- (A) the term 'teacher' within the meaning of section 2(30) of the Act shall, in addition to full-time Professor, Associate Professor, Reader, Lecturer, Demonstrator, Tutor, Master of Method or Director of Physical Education, if any, in any conducted, constituent or affiliated College or Recognised Institution in the University, include -(i) Part-time Professor, Associate Professor, Reader, Lecturer Demonstrator, Tutor, Master of Method or Director of Physical Education, if any, in any conducted, constituent or affiliated College or Recognised Institution in the University, provided he imparts instruction for at least 4 hours per week; (ii) the following persons, whether serving full-time, part-time or in an honorary capacity in any conducted, constituent or affiliated College or Recognised Institution in the University, provided that (a) a person serving in a part-time capacity imparts instruction for at least 4 hours per week and (b) a person serving in an honorary capacity, (i) in a Medical or Dental College is available on the premises of the college/attached hospital for at least 4 hours per day, or (ii) imparts instruction for at least 2 hours per week in a college in any other Faculty;

Principal/Dean/Director	Assistant Honorary Professor	
Assistant Professor	Honorary Lecturer	
Senior Lecturer	Honorary Dental Surgeon	
Lecturer in the Senior Scale	Emeritus Professor	
Lecturer in the Junior Scale	Visiting Professor	
Associate Lecturer	Visiting Lecturer	
Assistant Lecturer	Associate Visiting Lecturer	
Workshop Superintendent	Pharmacist	
Assistant Workshop Superintendent	Organic Chemist	1 (Serving in a Medical College)
Professor-Director	Anaesthetist	
Honorary Professor	Registrar	

(iii) all persons who are designated to be the teachers of the University under section 2(31) of the Act and the Statutes/s made thereunder. (iv) Associate Lecturers and Demonstrators in the University Departments and Workshop Superintendent and Drawing Officer Superintendent in the University Department of Chemical Technology. The term 'Teacher' shall also include Acting and Officiating Teachers. (B) No person who is not designated as a teacher under clause (A) of this Statute shall be a teacher for the purposes of the Act.

4. For the purposes of the Act.

- (A) the term 'Teacher of the University' within the meaning of section 2(31) of the Act, means a Professor, Associate Professor, Reader or Lecturer appointed by the University or a part-time or honorary Professor or a Recognised Teacher imparting post-graduate instruction or guiding research leading to a research degree in the University or in any college or institution conducted by the University, provided he imparts instruction or guides research for at least 2 hours per

week.(B)No person who is not designated as a teacher of the University under clause (A) of this Statute shall be a teacher of the University for the purposes of the Act.

5.

For the purpose of section 2(34) of the Act, the term "University Department" means a Department maintained by the University or a Department in a College or Post-graduate or Research Institution recognised to be a University Department by the University and includes a Centre of Studies established by the University and designated as a University Department. For the purposes of this Statute, the Centre of Post-Graduate Instruction and Research, Panaji, Goa, the Centre of East African Studies and the Centre of Soviet Studies shall be the University Departments." (The Chancellor has accorded his assent for the above amendment on 2.2.1984).

Chapter II

Authorities of the University

(i) Senate (Under section 20 of the Act) Rotation of Principals, Groupwise

26.

One-third of the total number of Principals of affiliated, constituent, conducted and autonomous college at a time by rotation shall be members of the Senate, under the provisions of section 20(l)(B)(i) of the Act.

27.

For purposes of representation of the Principals on the Senate the six groups of colleges, viz.. A, B, C, D, E and F shall be formed as shown in detail in Appendix "I". For the first year, the Principals of Colleges of A and B groups shall be the members of the Senate. The allotment of seats of the Principals for the succeeding years shall be in the manner shown below :-

Groups B and C Second year

Groups C and D Third year

Groups D and E Fourth year

Groups E and F Fifth year

Groups F and A Sixth year

The rotation in the same manner shall continue thereafter for the successive years. The colleges which may come into existence hereafter shall first be added to the groups having less number of colleges in order to equalise the number of colleges in each group and thereafter in Groups A to F seriatum, according to the dates of their establishment and in case of there being the same date of establishment, in alphabetical order of their names. Election of one Head by Heads of the Recognised Institutions

28.

- In the case of election of one Head by Heads of the Recognised Institutions under section 20(1)(B)(ii) of the Act, at least 40 clear days before the date of election, the Registrar shall have a roll prepared and published of all the Heads of Recognised Institutions, and not less than 30 clear days before the date of election, shall send to all those whose names are entered in the roll, a notice of election. The election shall be held by post in accordance with the procedure laid down in statutes 375 to 377. Faculty-wise Election of Twenty-five Teachers

29.

Teachers shall elect from amongst themselves, voting to be in common, twenty-five teachers, faculty-wise, other than Principals of autonomous, conducted, constituent or affiliated Colleges, Heads of Recognised Institutions, or Heads of University Departments, under the provisions of section 20(1)(B)(iii) of the Act, as under :

1. Teachers in Arts	8
2. Teachers in Science	6
3. Teachers in Technology	2
4. Teachers in Law	1
5. Teachers in Medicine	2
6. Teachers in Commerce	3
7. Teacher in Dentistry	1
8. Teacher in Fine Arts	1
9. Teacher in Ayurvedic Medicine	1

30.

In the case of election to the Senate of twenty-five teachers, faculty-wise, under section 20(1)(B)(iii) of the Act, at least 40 clear days before the date of election, the Registrar shall have a roll prepared and published of all the Teachers, and not less than 30 clear days before the date of election shall send to all those whose names are entered in the roll, a notice of election. In the preparation of the roll of teachers, the names of only such teachers shall be included in the roll as are, on the date of preparation, teachers as defined in section 2(30) of the Act. The election shall be held by ballot and in accordance with statute 373 and at the polling centres to be provided for the purpose. Election of two Heads and two Teachers of Higher Secondary Schools

31.

In the case of election to the Senate of two Heads of Higher Secondary Schools and two Teachers of Higher Secondary Schools under clauses (iv) and (v), respectively, of section 20(1)(B) of the Act, at least 40 clear days before the date of election, the Registrar shall have a roll prepared and published of all the Heads of Higher Secondary Schools and Teachers of Higher Secondary Schools; and not

less than 30 clear days before the date of election, shall send to all those whose names are entered in the respective rolls, a notice of election. In the preparation of the roll of Teachers of Higher Secondary Schools, the names of only such secondary teachers shall be included in the roll as are, on the date of preparation, members of the teaching staff of a Higher Secondary Schools as defined in section 2(27) of the Act. The roll of Heads of Higher Secondary Schools shall include the names of such Heads of Higher Secondary Schools as defined in section 2(15) of the Act. The elections shall be held by post in accordance with the procedure laid down in statutes 375 to 377. Election of Twenty-five Registered Graduates

32.

Registered Graduates, faculty-wise, shall elect twenty-five Registered Graduates, who are not Principals or Teachers, from amongst themselves, of whom two seats shall be reserved for the Scheduled Castes, two seats shall be reserved for the Scheduled Tribes and one seat shall be reserved for the Denotified and Nomadic Tribes, under the provisions of section 20(l)(B)(vi) of the Act and twenty general seats shall be allotted faculty-wise, as under :-

1. By Registered Graduates in Arts (from among themselves)	7
2. By Registered Graduates in Science (from among themselves)	4
3. By Registered Graduates in Technology (from among themselves)	1
4. By Registered Graduates in Law (from among themselves)	2
5. By Registered Graduates in Medicine (from among themselves)	1
6. By Registered Graduates in Commerce (from among themselves)	2
7. By Registered Graduates in Dentistry (from among themselves)	1
8. By Registered Graduates in Fine Arts (from among themselves)	1
9. By Registered Graduates in Ayurvedic Medicine (from among themselves)	1

Provided that, for the purpose of the first elections to the Senate to be held under the Act, the seat allotted to the Registered Graduates in Fine Arts shall be allotted to the Registered Graduates in Technology in addition to the seat already allotted to them : Provided further that, for the purpose of the first elections to the Senate to be held under the Act, the Registered Graduates in Medicine and the Registered Graduates in Ayurvedic Medicine, if any, shall together from one constituency and shall elect two members from among themselves. The election of the two seats reserved for the Scheduled Castes, the two seats reserved for the Scheduled Tribes and the one seat reserved for the Denotified and Nomadic Tribes, shall be held in common from among the Registered Graduates in all the Faculties and that it shall be open to the Registered Graduates belonging to the Scheduled Castes, Scheduled Tribes and Denotified and Nomadic Tribes to stand as candidates for election for the respective seats irrespective of the faculty to which they belong. The Registered Graduates contesting elections for reserved seats as stated above shall submit along with their nomination form for election, a certificate from the Tahsildar or any Executive Officer above his rank, specifying the Caste or the Tribe to which the candidate belongs. The election shall be held by ballot and in accordance with statute 373 and at the polling centres to be provided for the purpose. Except in the case of polling centres provided for voting in Greater Bombay, each elector shall cast his vote at the

polling centre nearest to his registered address. In the case of a voter who has his registered address in Greater Bombay he may vote at any one of the polling centres fixed in Greater Bombay. Every elector about whose identity the Election Officer or the Polling Officer, as the case may be, is satisfied, shall allow his left forefinger to be inspected by the Election Officer or Polling Officer and an indelible inkmark to be put on it. If a candidate contesting the general seat as well as the reserved seat is elected to the general seat and the reserved seat, he shall send in to the Registrar, an intimation in writing signed by the candidate, so as to reach him within four days of the declaration of the result of the last of such elections as to which of the two categories he chooses to represent and such choice shall be conclusive. If the candidate does not make the choice referred to herein within the specified period of time, the Vice-Chancellor shall decide which category he will represent, and the Vice-Chancellor's decision shall be final.

33.

All persons whose names are entered on the Registers of Graduates shall be entitled to vote at the election of members from the Registered Graduates' Constituency. For purposes of preparing the faculty wise electoral roll, all Graduates registered or deemed to be registered before the commencement of the Act shall, unless they are disqualified under clauses (a), (b) or (c) of sub-section (2) of section 81, be deemed to be registered as Registered Graduates : Provided that, where there does not exist a separate electoral roll of Registered Graduates in any of the existing Faculties, the names of those Registered Graduates who belong to the respective Faculty alone, shall be entered in the electoral roll of the Faculty : Provided further that, where a Registered Graduate holds degrees in more than one Faculty but fails to elect the constituency in which he desires to have his name enrolled as a voter on or before the date fixed for the preparation of the roll, his name shall be retained in the roll of the Faculty in which his name already appears. Provided further that, if any such Graduate is a Registered Graduate of any other University established by law in the State of Maharashtra before the commencement of the Act-, he shall cease to be a Registered Graduate, unless he has elected to be a Registered Graduate of this University, as required by the proviso of sub-section (2) to section 81 of the Act.

34.

In the case of election by Registered Graduates under section 20(1)(B)(vi) of the Act, the Registrar shall prepare and publish at the end of every six years, ending on the 31st August, preceding the date of election, an electoral roll of Registered Graduates. The notice of publication of the rolls shall be published in the newspapers to be selected by the Vice-Chancellor calling upon the Registered Graduates to apply for rectification of the mistakes and omissions in the same, if any, within the time allowed in statute 361. The notice of election shall be published in the newspapers to be selected by the Vice-Chancellor at least 30 clear days, before the date of election, and the Registrar shall invite nominations therefor to reach him on or before the last date fixed for receiving nominations. The names of candidates duly nominated for the election shall be published in the newspapers selected by the Vice-Chancellor at least 10 clear days before the date of election : Provided that, for the purpose of the first elections to the Senate to be held under the Act, the Vice-Chancellor shall fix the date for the publication of the electoral rolls of Registered Graduates in

each Faculty. Election of two members by the Students' Executive Union

35.

In the case of election of two members to be elected by the Students' Executive Union, under the provisions of section 20(1)(B)(vii) of the Act, the Registrar shall notify to the Chairman and the Secretary of the Students' Executive Union at least 21 clear days before the date of election that the election of two representatives to be sent by the Students' Executive Union from amongst themselves, is due, indicating at the same time, the date by which the result of the election shall be communicated to the University. On receipt of such notification, the Chairman, Students' Executive Union, shall make necessary arrangements to hold the election so that the result of the election is known in due time. The election shall be held at a meeting of the Students' Executive Union. The Chairman of the Union shall make a return to the Registrar of the University intimating under his signature the names and addresses of the members so elected by the Students' Executive Union. The election shall be held by ballot and in accordance with statute 373 and at the polling centres to be provided for the purpose. Election of four members by the Maharashtra Legislative Assembly and of one member by the Maharashtra Legislative Council

36.

In the case of elections of members under clauses (viii) and (ix) of section 20(1)(B) of the Act, the Registrar shall notify to the Secretary of the Maharashtra Legislature Secretariat that an election of members of the Maharashtra Legislative Assembly and the Maharashtra Legislative Council on the Senate of the University is due, indicating, at the same time, the date by which the results of election shall be communicated to the University. The Secretary of the Maharashtra Legislature Secretariat shall make a return to the Registrar of the University intimating under his signature the names, degrees and addresses of the members so elected by the Maharashtra Legislative Assembly and the Maharashtra Legislative Council, respectively. Election of one Representative of each Municipal Corporation

37.

In the case of election of members of the Senate by each of the Municipal Corporations in the University area from among its Councillors, the Registrar shall notify to the Secretary of each such Corporation, that an election to elect its representative to be a member of the Senate of the University under the provisions of section 20(1)(B)(x) of the Act is due, indicating at the same time, the date by which the result of the election shall be communicated to the Registrar of the University. On the election being held the respective Municipal Corporations shall make a return to the University intimating the names, degrees and addresses of the persons elected by them. The return in each case shall be signed by the Mayor. The election shall be held by ballot according to the system of proportional representation by means of a single transferable vote. Election of one Representative of the Municipal Councils in each of the Districts

38.

For the purpose of election of one representative of the Municipal Councils in each of the following district under section 20(1)(B)(xii) of the Act, the Municipal Councils in each of the districts shall form a constituency for electing a representative for their respective district :-(1)The Kolaba District,(2)The Thane District, and(3)The Ratnagiri District.The Registrar shall, prepare and publish an electoral roll of the Municipal Councils in each of the districts at least 40 clear days before the date of election, and not less than 30 clear days before the date of the election, shall send a notice of election to the Secretary/Chief Officer/Administrative Officer of each of the Councils in the said district, under a certificate of posting for being notified on the notice board for information of the Councillors, stating therein the date of election and the last date for the receipt of nominations and shall invite the nomination of the candidate of the respective Council from amongst its Councillors.After the nominations are received, each nomination shall be scrutinised and a voting paper containing the names of the nominated candidates together with a smaller cover and a bigger cover bearing a certificate of identity, shall be sent by the Registrar to the President of each of the Municipal Councils for recording the vote of the Council by the President, for the candidates nominated by the Councils in the respective district. In all cases, each Municipal Council shall have, in its corporate capacity, one transferable vote.The election shall be held by post in accordance with the procedure laid down in statutes 375 to 377.Election of two Representatives of Commercial and Industrial Bodies in the University Area

39.

For the purpose of preparing and publishing the electoral roll for the election of two representatives of Commercial and Industrial Bodies in the University area under section 20(1)(B)(xiii) of the Act, the Registrar shall, at least 40 clear days before the date of election, invite applications by publishing a notification in the newspapers to be selected by the Vice-Chancellor, from the Commercial and Industrial Bodies in the University area, which are registered under the Societies Registration Act, 1860, or incorporated or registered under any other law for the time being in force, which have their registered office in the University area and are of not less than ten years' standing from the date of such registration and have a membership of not less than 100 on the date of issue of the notification inviting such applications.Election of one Representative of Registered Trade Union in the University area

40.

For the purpose of preparing and publishing the electoral roll for election of one representative of Registered Trade Unions in the University area under section 20(1)(B)(xiv) of the Act, the Registrar shall, at least 40 clear days before the date of election, invite applications by publishing a notification in the newspapers to be selected by the Vice-Chancellor, from the Registered Trade Unions, in the University area, which are registered under the Trade Unions Act, 1926, or under any other law for the time being in force for registration of Trade Unions and which have their registered office in the University area.Election of one Representative of Co-operative Societies in the University area

41.

For the purpose of preparing and publishing the electoral roll for election one representative of Co-operative Societies in the University area, under section 20(1)(B)(xv) of the Act, the Registrar shall, at least 40 clear days before the date of election invite applications by publishing a notification in the newspapers to be selected by the Vice-Chancellor, from the Co-operative Societies, the area of operation of which extends to one or more Districts in the University area, or the authorised share capital of which is more than Rupees ten lakhs, and which are registered under the Maharashtra Cooperative Societies Act, 1960 (Maharashtra Act XXIV of 1961) and have their registered office in the University area.

42.

In the case of election of members by bodies named under clauses (xiii), (xiv) and (xv) of section 20(1) (B) of the Act, at least 40 clear days before the date of election,, the Registrar shall prepare and publish rolls of the Commercial and Industrial Bodies, Registered Trade Unions and Co-operative Societies, respectively; entitled to vote at the elections and, not less than 30 clear days before the date of election, the Registrar shall notify to each of the bodies concerned whose names are entered in their respective rolls, that an election of their representatives on the Senate of University, is due to be held, and shall invite nominations therefore before an appointed date.

43.

Subject to the provisions of section 20 of the Act, in all cases where nominations are invited by the Registrar, any two electors or any association or body entitled to vote, may after the notice of election is issued, nominate as a candidate any person by sending to, or delivering at the University Office a nomination paper before 4.00 p.m. on the last day fixed for receiving nominations. In the case of an election to the Senate held under clauses (xiii), (xiv) and (xv) of section 20(1)(B) nomination papers shall bear an attestation of the President or Chairman of the body concerned stating that the candidate, the proposer and the seconder, were on the date of issue of the notice of election, members of the said body.

44.

In the case of Commercial and Industrial Bodies, Registered Trade Unions and Co-operative Societies, specified in clauses (xiii), (xiv) and (xv), after each nomination has been scrutinised, a voting paper together with a smaller cover and bigger cover bearing a certificate of identity shall be sent by the Registrar by post to each of the said bodies for recording of their votes. In all cases, the Secretary/the Chief Officer/the Administrative Officer of the body concerned shall have one transferable vote and the preferences, if any, shall be recorded and the certificate of identity completed in the manner prescribed by statute 376. The elections shall be held by post in accordance with the procedure laid down in statutes 375 to 377. Rotation of one-third Representatives of Trusts or Societies Managing Non-Government Colleges

45.

For purposes of representation of one-third of the representatives of Trusts and Societies managing the Non-Government Colleges, under the provisions of section 20(B)(xvi) of the Act, the six groups of Trusts and Societies, viz. A, B, C, D, E and F shall be formed as shown in detail in Appendix II. For the first year, the representatives of the Trust and Societies managing non-government Colleges in A and B groups shall be the members of the Senate. The allotment of seats of the representatives for the succeeding years shall be in the manner shown below :-

Groups B and C Second year

Groups C and D Third year

Groups D and E Fourth year

Groups E and F Fifth year

Groups F and A Sixth year

The rotation in the same manner shall continue thereafter for the successive years. The Trusts and/or Societies which may come into existence hereafter, shall first be added to the groups having less number of Trusts and/or Societies in order to equalise the number of Trusts/Societies in each group and thereafter in Groups A to F seriatim, according to the dates of their establishment and in case of there being the same date of establishment, in alphabetic order of these names. Election of two Representatives of Donors

46.

In respect of election of two members under the provisions of section 20(l)(B)(xvii) of the Act, the Registrar shall maintain a list of individual donors and nominees of organisations, each having donated not less than rupees one lakh, or property of the value of not less than rupees one lakh, to or for the purpose of the University. The election shall be held by post in accordance with the procedure laid down in statutes 375 to 377. Appointment of four students from the faculties by rotation

47.

For the purposes of appointment of four students from the faculties, by rotation, on the Senate under section 20(C)(iii) of the Act, the Vice-Chancellor shall appoint one student from each of the four faculties in the order of rotation specified below, who has secured the highest percentage of marks in the aggregate of all the subjects prescribed at the preceding degree examination/s in the faculty concerned from amongst those engaged in full-time post-graduate studies in a University Department and/or affiliated, conducted, constituent or autonomous colleges, and who are not above 25 years of age. Provided that such a candidate must have passed the examination within the minimum period prescribed for the degree course from the date of passing the qualifying examination for admission to the course leading to the said degree. For purposes of rotation, the Faculties are arranged in the following order (1) The Faculty of Arts (2) The Faculty of Science (3) The Faculty of Technology (4) The Faculty of Law (5) The Faculty of Medicine (6) The Faculty of Commerce (7) The Faculty of Dentistry (8) The Faculty of Fine Arts (9) The Faculty of Ayurvedic

Medicine. For every term of one year, one student from each of the four Faculties arranged in the above order shall be appointed. The Faculties which are represented by the students once shall not be taken into consideration again for the purposes of rotation until the remaining Faculties have had their turns: Provided, however, that if two or more students have the same percentage of marks, the Vice-Chancellor shall determine by lot, who shall be excluded. Rotation of one-fourth of the total number of Heads of the University Departments

48.

For purposes of appointment of one-fourth of the total number of Heads of the University Departments or five such Heads, whichever is more, by rotation under the provisions of section 20(C)(iv) of the Act, the Heads of the Departments shall be arranged in four groups viz., A, B, C and D as shown in Appendix III. For the first year, the Heads of the Departments shall be represented from group A. The allotment of seats for the succeeding years shall be for groups B, C and D, respectively. The rotation in the same manner shall continue thereafter for the successive years. The Departments coming into existence hereafter shall be included in such groups as may be determined by the Executive Council. Statutes prescribing Qualifications, Emoluments and Terms and Condition of Service for the Post of Registrar (framed under section 13 of Bombay University Act, 1974)

101.

The post of the Registrar shall be filled by selection through advertisement in prominent news-papers and determined by the Executive Council.

102.

The following shall be the minimum qualifications for the post of the Registrar (i) A master's degree at least in Second Class, Or (ii) A Bachelor's degree at least in Second Class in Arts, Science or Commerce and Bachelor's degree in Law of a Statutory Indian University or a degree recognised as equivalent thereto. (iii) A person to be appointed to the post of Registrar shall have to his credit (a) at least ten years' administrative experience in a responsible executive position in an Educational Institution, preferably in a University or in a Government Department; or (b) at least five years' teaching experience in a College or University Department and five years' administrative experience. (iv) Proficiency in English and in the regional language. The Executive Council may relax the prescribed qualifications, experience and age limit in suitable cases, but this shall be clearly indicated in the advertisement. At the time of appointment, the candidate for the post of Registrar shall not be below 40 years and above 50 years of age. This age limit shall not apply to a candidate who is already in the service of the University.

103.

(i) The pay scale for the post of Registrar shall be Rs. 1500-50-1700-75-2000-125/2-2250. He shall also be entitled to receive such allowances as are admissible to other officers in the University. (ii) He

shall contribute to the University Provident Fund and receive gratuity, in accordance with the University rules in this behalf.(iii)He shall execute a contract of service as prescribed.(iv)He shall be provided with rent-free quarters.(v)He shall be eligible for leave as prescribed in statute 107.

104.

The Registrar shall be appointed in the first instance on probation for a period of two years. On the expiry of the said period and on his having completed the probationary period satisfactorily, he may be confirmed by the Executive Council. The Executive Council may relax/waive the condition regarding the probationary period in suitable cases.

105.

It shall, however, be competent for the Executive Council and the Registrar, at any time during the period of probation or thereafter, by either party giving six calendar months' notice in writing to the other, or by mutual agreement, to terminate the tenure of his office.

106.

The age of retirement of the Registrar shall be sixty years.

107.

(a)Leave cannot be claimed as a right.(b)Leave is earned by duty only and shall be recorded in the Registrar's leave account.(c)Leave, except disability leave, cannot be granted till it has been earned.(d)Public holidays may be prefixed and/or affixed to leave.(e)If the Executive Council recalls the Registrar before the expiry of his leave, the University shall pay the cost of journey to Bombay from where the Registrar is at the time of his recall.(f)The Registrar shall earn leave on average pay at the rate of one-eleventh of the total period of his active service, subject to the maximum accumulation of 180 days.(g)The maximum amount of leave on average pay that may be granted at any one time to the Registrar, shall be 120 days.(h)The Executive Council may allow the Registrar to take leave on half average pay not exceeding 20 days for each completed year of service. When the Registrar takes such leave he shall be debited with half the amount of it in his leave account.(i)The Executive Council may grant to the Registrar special disability leave on average pay if it has been earned or on half average pay if it has not earned, in case of sickness or other sufficient reasons.(Explanation. - For the purpose of this Statute, average pay means the monthly pay earned during the twelve complete months immediately preceding the month in which the event necessitating the calculation of average pay occurs).

108.

If any person in the service of the University be appointed the Registrar, he shall be entitled to whatever leave has become due to him at the time of such appointment subject to the maximum

leave permissible under statute 107.

109.

During the absence of the Registrar on leave, an Acting Registrar may be appointed by the Executive Council, who shall be paid at such rate not exceeding the salary of the Registrar, as the Executive Council may determine.(ii)The Executive Council(Under section 23 of the Act)Constitution

111.

Under the provisions of section 23(1) (vi) of the Act, the Heads of University Departments shall elect from amongst themselves one Head of a University Department on the Executive Council at a meeting of the Heads of the University Departments specially called by the Registrar for this purpose. The seniormost Head of the Department not contesting the election shall preside over the meeting. The seniority of the Heads of Department shall be fixed according to the date of their appointments as the Heads of Departments.

112.

Under the provisions of section 23(1)(x) of the Act, one Dean shall be elected by the Deans of Faculties from amongst themselves at a meeting of the Deans of Faculties convened by the Registrar for this purpose. The Dean of the Faculty of Arts or another Dean in order of precedence if he is not contesting the election, shall preside over the meeting.

113.

Under the provisions of section 23(l)(xi) of the Act, one person representing each group of faculties in the order given below shall be elected by the Academic Council from amongst its members on the Executive Council :-

- | | |
|------------|-----------------------------------|
| Group I | 1. Faculty of Arts |
| | 2. Faculty of Commerce |
| | 3. Faculty of Law |
| Group II | 4. Faculty of Science |
| | 5. Faculty of Technology |
| | 6. Faculty of Fine Arts |
| Group III. | 7. Faculty of Medicine |
| | 8. Faculty of Dentistry |
| | 9. Faculty of Ayurvedic Medicine. |

For every term of the Executive Council for a period of three years, three Faculties shall be represented at a time in the order given above. A Faculty which has been already represented on the Executive Council once shall not be represented again under this Statute unless the remaining

Faculties have had their turns.(iii)The Academic Council(Under section 25 of the Act)Constitution

121.

For purposes of appointment of one-third of the total number of Heads of University Departments, by rotation, on the Academic Council under the provisions of section 25(1)(iii) of the Act the Heads of University Departments shall be arranged in three Groups : viz., A, B, and C as shown in Appendix IV. For the first term of office, the Heads of the Departments shall be represented from Group A. The allotment of seats for the succeeding term shall be for Groups B and C respectively. The rotation in the same manner shall continue thereafter for the successive terms. The Departments coming into existence hereafter shall be included in such groups as may be determined by the Executive Council. The Heads of the Department in each group, who has held office as a member of the Academic Council, shall not be eligible to become a member again until Heads of Departments in the other groups have all had their turns.

122.

For purposes of representation of the Principals on the Academic Council six groups of colleges, viz. A, B, C, D, E, and F shall be formed as shown in detail in Appendix I. For the first year, the Principals of Colleges shall be represented by the Principals of Colleges as shown in Group D. The allotment of seats of the Principals for the succeeding years shall be in the manner shown below

Groups E Second year

Groups F Third year

Groups A Fourth year

Groups B Fifth year

Groups C Sixth year

The rotation in the same manner shall continue thereafter for the successive years. The Colleges which may come into existence hereafter shall first be added to the groups having less number of colleges in order to equalise the number of colleges in each group and thereafter in Groups A to F seriatim according to the dates of their establishment and in case of there being the same date of establishment, in alphabetical order of their names.(ix)Students Council(Under section 34 of the Act)

169.

(1)For purposes of this Statute, 'class' means a body of students in a College or Recognised Institution, undergoing a course of instruction leading to a University Examination in a Faculty.(2)Each class shall elect one representative on the Electoral College. Such a representative shall hereinafter be called as 'Class Representative'.(3)Elections for forming the Electoral College shall be held by ballot, on the basis of the principle of simple majority vote.(4)[The Vice-Chancellor shall fix and announce a date for holding the election of Class Representatives which shall, in any case be not later than 45 days from the commencement of the academic year. The Principal of a

College Head of a Recognised Institution shall make the necessary arrangements for holding the elections on such notified date.] [The Vice-Chancellor may only in extra-ordinarily extreme circumstances which have arisen in the prescribed limit of 45 days and therefore it becomes impossible to hold the election, fix and announce the date beyond the prescribed limit for reasons to be recorded.](5)The Electoral Roll of a College/Recognised Institution shall consist of all the Class Representatives of that College/ Institution. These class representatives, immediately on the seventh day after election of the class representatives held on the date notified under section 169(4) and if it is a holiday, on the next working day after the seventh day, shall elect one from among themselves to be a member of the Students' Council to represent the College/Institution (hereinafter called the 'University Representatives') in a meeting to be convened by the Principal/Head of the Institution.(5A)A Notification regarding the election to the 'Class Representatives' and the 'University Representative' shall be sent to the College/Institution simultaneously.

170.

For the purpose of election of one student from each teaching Faculty of the University under section 34(1)(iv) of the Act, for each teaching Faculty of the University, a separate Electoral College consisting of one representative of each class in the University Departments covered by the Faculty in question shall be constituted. Where the University Faculties enrol students and conduct classes at a place outside Greater Bombay, such students in such Faculties at such places outside Greater Bombay shall constitute a separate class at their respective places and their representatives shall be a part of the Electoral College consisting of Class Representatives. The Vice-Chancellor shall fix a date for holding the election of Class Representatives of the respective Faculties, which shall in any case not be later than 45 days from the commencement of the academic year. The Vice-Chancellor may, only in extraordinarily extreme circumstances, which have risen in the prescribed limit of 45 days and therefore it has become impossible to hold election, fix and announce the date beyond the prescribed limit for reasons to be recorded. The Vice-Chancellor, in consultation with the Director of Students' Welfare, shall appoint any of Heads of the Departments within the respective Faculties and at the respective places, as the case may be, to conduct elections of the Class Representatives within the Faculty. These Class Representatives for separate Faculties immediately on the 14th day after the date of election of the Class Representatives, and if it is a holiday, on the next working day after the 14th day shall elect one from among themselves to be a member of the Students' Council, in a meeting to be convened by the Director of Students' Welfare. The result of the election shall be notified within three (3) days from the date of election.

171.

(1)"The election to Students' Council shall be held by ballot and in accordance with the system of proportional representation by means of a single transferable vote in the manner laid down in statutes 353 to 394.(2)If a student, by virtue of his being a student of more than one College/Institution/Department, is elected as a member on the Students' Council from more than one College/Institution/Department, he shall at his option, to be exercised within 24 hours of the declaration of the results of the last election, retain his membership on the Students' Council from only one College/Institution/Department and relinquish his membership from the other or others.

In such a case, the person who is next in order in the College Institution/Department, in respect of which the membership has been relinquished, shall, ipso facto be deemed to be elected on the Students' Council.(3)In case, a student is contesting the election from more than one College on the Students' Council, he shall inform the Principal, Head of the College/Institution/Department concerned and in the case of election of only such students, at the time of counting, a note shall be kept of the first three candidates in order of preference.(4)No student shall be eligible to be a member on the Students' Council, if he has completed 25 years of age on the date of the election. In case an elected student completes the age of 25 years during his term of office, he shall cease to be a member on the Council on the day he attains the age of 25 years. He shall also cease to be such member if he fails to appear or pass at the next University Examination for which he was enrolled when he became member. If such a vacancy occurs during the session, it shall not be filled up.(5)The name of the University Representative duly elected shall be communicated by the Principal/Head of the Institution to the Director of Students' Welfare immediately after the election so as to reach the office of the Director of Students' Welfare not later than 10 days from the date of election.(6)A Notification regarding the elections of the Chairman, the Secretary of the Students' Council and the Students' Executive Union shall be issued by the Director of Student's Welfare within seven days from the final date receiving names of the University Representative.(7)The Notification regarding the date of election of the office-bearers of the Students' Council and the Students' Executive Union shall be issued irrespective of the fact that the date of election falls in Diwali Vacation or any other vacation".

172.

(a)The Vice-Chancellor shall appoint one student from each Faculty on the Students' Council under the provisions of section 34(1)(v) of the Act, who has secured the highest percentage of marks in the aggregate of all the subjects prescribed all the preceding degree examination/s in the faculty concerned from amongst those engaged in full time Post-Graduate studies in a University Department and/ or affiliated, conducted, constituent or autonomous College or a Recognised Institution and who are not above 25 years of age. Provided that such a candidate must have passed the examination within the minimum period prescribed for the degree course from the date of passing the qualifying examination for admission to the course leading to the said degree.(b)The Vice-Chancellor shall nominate eight other members under section 34(1)(vi), two from each of the four activities, viz., (i) Sports, (ii) National Service Scheme, (iii) National Cadet Corps and (iv) Cultural Activities, on the recommendation of the appropriate authorities and/or the Director of Students' Welfare.(c)The Vice-Chancellor will nominate two lady students.

173.

In the first, meeting of the Students Council to be convened by the Director of Students' Welfare, the students shall elect from amongst themselves the Chairman, the Secretary and Fourteen members of the Students' Executive Union under the provisions of section 34(2)(iv) of the Act.

174.

Fourteen members of the Council shall be elected on the Students' Executive Union under the provisions of section 34(2) (iv) of the Act, at the first meeting of the Council convened by the President of the Students' Council during each academic year. For such election, a notice of election shall be sent at least 21 clear days before the date of the election, to the student-members of the Council inviting nominations from amongst themselves as under :-(1)One member each to represent the activities mentioned below :-(i)Sports(ii)National Service Scheme(iii)National Cadet Corps(iv)Cultural Activities(2)One Lady Student(3)Nine othersThe election shall be held in the meeting of the Students' Council in the manner prescribed by statutes 378-394. For purposes of this Statute members of the Council representing the four activities shall be those who have participated in one or more of the four activities mentioned in section 34(1) (vi) of the Act at least once, in the manner given below :-(i)Sports : A student must have participated at least once in either Inter-Collegiate or Inter-University Tournaments.(ii)National Service Scheme : A student must have participated in the National Service Scheme programmes organised by the College or University and attended prescribed hours of work under the Scheme.(iii)National Cadet Corps : A student must have been enrolled in the National Cadet Corps and attended at least 75 per cent of the parades and one camp organised by N.C.C. authorities.(iv)Cultural Activities : A student must have participated in the Inter-Collegiate competitions organised by the University in dramatics, elocution, group dance, music, painting etc. A student in order to become eligible for election under the four activities referred to above shall produce a certificate from the Principal/Head of the College or/institution or Department. Rules and procedure and conduct of business to be followed at the meetings of the Students' Council and the Students' Executive Union. (Section 34(4) of the Act)

174A.

Meeting of the Students' Council and the Students' Executive Union shall be held on the University premises, unless the Vice-Chancellor otherwise directs.

174B.

One-third of the members of the Students' Council shall form a quorum for a meeting of the Council. All questions shall be decided by a majority of votes of the members present at the meeting of the Council by show of hands. In the case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

174C.

The meetings of the Students' Council shall be presided over by the Vice-Chancellor and in his absence by the Chairman of the Council, The Vice-Chancellor shall nominate a member of the Council to preside over the meeting of the Council in the absence of both the Vice-Chancellor and the Chairman of the Council.

174D.

Before the commencement of a meeting of the Students' Council, the Chairman of the meeting shall take notice of the attendance at the meeting, and if there is no quorum, the meeting shall forthwith be adjourned. The adjourned meeting shall be held on the same day and at the same place at the expiry of half an hour from the hour notified for the commencement of the original meeting. No quorum shall be required at such adjourned meeting of the Council.

174E.

Such proposals or matters only as he within the functions of the Students' Council specified under clause (5) of section 34 of the Act, and such other proposals or matters as are referred to them by any other authority or officer of the University shall be entertained and discussed at the meeting of the Council.

174F.

The meeting of the Students' Executive Union shall be held at least twice a year and at other times when convened by the Chairman of the Union. However, if felt necessary, a meeting of the Union may be convened by the Director of Students' Welfare in consultation with the Vice-Chancellor.

174G.

One-third of members of the Students' Executive Union shall form a quorum for a meeting of the Union. All questions shall be decided by a majority of votes of the members present at the meeting of the Union by show of hands. In the case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

174H.

The meeting of the Students' Executive Union shall be presided over by the Chairman of the Union and, in his absence, by a member of the Union nominated by the Vice-Chancellor for the purpose.

174I.

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174J.

The Director of Students' Welfare shall issue notices of the meeting of the Students' Council and the Students' Executive Union.

174K.

The Secretary of the Students' Council shall record and maintain the minutes of the meeting of the Council and of the Students' Executive Union.

174L.

The minutes of the meeting of the Students' Council and the Students' Executive Union, shall ordinarily, be placed for the confirmation of the Council or the Union, as the case may be, at their immediate next meeting.

174M.

Soon after the meeting of the Students' Council or the Students' Executive Union is over, the Secretary shall forward the draft minutes for the approval of the Chairman of the meeting through the Director of Student's Welfare. The approved minutes shall be sent to the members of the Council or the Union as the case may be, for their information and record.

174N.

For the purpose of clauses (i) and (iii) of section 34(5) of the Act, the following shall be the Students' Societies / Associations/Organisations functioning under the aegis of the Students' Council

1. Dance and Music Society

2. Debating and Elocution Society

3. Dramatics Society, and

4. Film and Photography Society

The composition and functions of the Students' Societies/Association shall be as prescribed by the Ordinances."

Chapter III

Officers of the University

(Under section 12 of the Act) Deans of Faculties

175.

Each Faculty shall elect its Dean from amongst its members, other than the student members.

176.

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177.

In the event of the occurrence of a vacancy in the office of the Dean before the expiry of his term by reason of death, resignation or by his being absent from three consecutive meetings of the Faculty or from the country for more than four consecutive calendar months, or otherwise, the office of the Dean shall be filled up by election on a date to be fixed by the Vice-Chancellor.

178.

The Dean elected to fill up the vacancy shall hold office for the unexpired term of office of the Dean in whose place he has been elected. Qualifications of Deans of Faculties (Under section 37(xvi) of the Act)

179.

A Dean of the Faculty other than the Faculties of Technology, Law, Medicine, Dentistry, Fine Arts and Ayurvedic Medicine, to be elected shall be a Teacher or a Teacher of the University with at least ten years' teaching experience.

180.

In the case of the Faculties of Technology, Law, Medicine, Dentistry, Fine Arts and Ayurvedic Medicine a Dean to be elected shall be a person who shall have teaching and/ or professional experience of at least ten years.

180A.

All offers of transfer of movable and immovable property to the University shall be accepted subject to the approval of the Executive Council and to the following conditions (a) That the current market value of the property is at least Rs. 10,000/- and is sufficient, in terms of the current market value of such property, to provide for the purpose, if any, for which the transfer is intended to be made; (b) That the title of the donor on such property is legally enforceable and that the property is free from encumbrance and liabilities; (c) That the benefit attendant and incidental to such transfer shall not be restricted to any race, creed, religion, caste, community or region provided that in the case of Scheduled Tribes or Scheduled Castes this condition will not apply; Provided that, the

Vice-Chancellor may, with the prior approval of the Executive Council, lay down such other conditions as he may deem necessary in case of each offer of the transfer. The Director of Students' Welfare (Under section 16(5) of the Act)

181.

Subject to supervision and control of the Executive Council, the Director of Students' Welfare shall exercise powers and perform duties, viz. :- (a) to notify to the Principals of affiliated Colleges, Heads of Recognised Institutions and Heads of University Departments about the holding of election of class representatives, for the purpose of election of one student from each of the Colleges, Head of Recognised Institutions and Departments of University on the Students' Council. (b) to conduct election of the Students' Council and the Students' Executive Union; (c) to convene meetings of the class representatives of the University Departments under the relevant Faculty and conduct elections for the purpose of electing their representatives on the Students' Council; (d) to maintain accounts and hold and manage the funds and property of the Students' Council and the Students' Executive Union in his capacity as a Treasurer of the Students' Council and the Students' Executive Union; (e) to ensure that the accounts of the Students' Council and the Students' Executive Union are duly audited and the Auditors' Report along with a Statement of Accounts submitted to the Executive Council on or before the 31st May of the following year; (f) to accord sanction and regulate the expenditure with the provisions made in the Budget for the Students' Council and the Student's Executive Union. (g) to act as a liaison between the Government of India, State Governments, the University, other Universities and National and Cultural Organisations on one hand and the Students' Council, Students' Executive Union, University Departments, affiliated Colleges and Recognised Institutions on the other, for purposes of planning and executing different schemes, programmes and activities, relating to Students' Welfare as approved by the Students' Council and the Students' Executive Union; (h) to act as Co-ordinator for the National Service Scheme and other similar activities of the University; and (i) to perform such other duties as may be assigned to him by the Executive Council/Vice-Chancellor. Qualifications for the post of the Finance Officer and the procedure to be followed at the meeting of the Selection Committee. (Section 62 of the Act)

234.

The post of the Finance Officer shall be filled up by the Executive Council on the recommendation of the Selection Committee to be constituted for the purpose as provided for under section 62 of the Act. The post shall be advertised. The Vice-Chancellor, if he deems fit, may also invite names of suitable persons satisfying the prescribed qualifications from the Accountant General, Maharashtra, Bombay, and the Director of Accounts and Treasuries and Additional Secretary to the Government of Maharashtra, Finance Department for consideration by the Selection Committee along with the applications for the post. A person to be appointed to the post of Finance Officer -

1. must have a Bachelor's Degree in any Faculty of a Statutory Indian University or a Degree recognised as equivalent thereto;

Or must have passed the Subordinate Accounts Service Examination or the Maharashtra Finance and Accounts Service Class I Officers' Examination or must be a Chartered Accountant and

2. should have 10 years' experience in Accounting and Auditing in a responsible position in a University, a Government or a Semi-Government Office, a Corporation or a Commercial Body of repute, provided that the Executive Council shall be competent to relax this condition in deserving cases.

A person to be appointed to the post of Finance Officer shall not ordinarily be below 35 years of age and above 50 years of age provided that the upper age limit may be relaxed in favour of candidates with exceptional qualifications and/ or experience and candidates who are already in the service of the University. A meeting of the Selection Committee for the post of Finance Officer shall be so fixed as to allow a notice thereof being given to each member of the Selection Committee and to the candidates at least 30 clear days before the date of said meeting. The quorum to constitute the meeting of the Selection Committee shall be three members of whom at least one shall be a person nominated under section 62(1)(ii) or (iii) of the Act. The Selection Committee shall interview and adjudge the merits of the applicants and the persons, if any, whose names may be placed before it by the Vice-Chancellor in accordance with para 2 of the Statute and who appear before the Committee and report to the Executive Council the names, arranged in the order of merit of the persons whom it recommends for appointment to the post.

Chapter IV

Elections to Authorities or Bodies

(Under section 78 of the Act)

353.

Except as otherwise expressly provided for every election to the Authority or Body of the University shall be held by ballot according to the system of proportional presentation by means of a single transferable vote and as prescribed by these Statutes.

354.

In these Statutes, unless there is anything repugnant in the subject or context, (1) The expression "elector" with reference to the election of any authority or body means any person or a public association or body entitled to vote as such an election; (2) The expression "continuing candidate" means any candidate not elected or not excluded from the poll at any given time; (3) The expression "first preference" means the figure "1" standing alone opposite the name of a candidate, "second preference" means the figure "2" standing alone opposite the name of the candidate in succession to the figure "1", "third preference" means the figure "3" standing along opposite the name of a

candidate in succession to the figures "1" and "2" and so on, on the voting paper;(4)The expression "next available preference" means a second or subsequent preference recorded in consecutive numerical order for a continuing candidate, the preferences, next in order on voting paper for candidates already elected or excluded from the poll being ignored;(5)The expression "transferable paper" means a voting paper on which, following the first preference, a second or subsequent preference is recorded in consecutive numerical order for a continuing candidate;(6)The expression "non-transferable paper" means a voting paper on which no second or subsequent preference is recorded for a continuing candidate :Provided that, a paper shall be deemed to have become a non-transferable paper whenever-(a)the names of two or more candidates (whether continuing or not) as marked with the same number, and are next in order of preference;(b)the name of the candidate next in order of preference (whether continuing or not) is marked.(i)by a number not following consecutively after some other number on the voting paper;Or(ii)by two or more numbers.(c)for any other reason it cannot be determined for which of the continuing candidates the next available preference of the elector is recorded.(7)The expression "original vote" in regard to any candidate means a vote derived from a voting paper on which a first preference is recorded for that candidate;(8)The expression "transferred vote" in regard to any candidate means a vote derived from a voting paper on which a second or subsequent preference is recorded for that candidate;(9)The expression "quota" means the number of votes sufficient to secure the election of a candidate, determined at each election by dividing the total number of a valid votes cast at an election by the number of vacancies to be filled plus one at that election made by adding one to the result so arrived at. Any fractional remainder in doing so shall be disregarded.(10)The expression "surplus" means the number of votes by which the total number of original and transferred votes, credited to any candidate, exceeds the quota;(11)The expression "count" means :(a)all the operations involved in the counting of the five preferences recorded for candidates;Or(b)all the operations involved in the transfer of the surplus votes of an elected candidate;Or(c)all the operations involved in the transfer of the vote of an excluded candidate or of two or more candidates excluded together.

355.

The Vice-Chancellor shall have the power :-(a)to fix the date of election,(b)to decide, in cases of doubt, the validity or invalidity of a vote recorded and declare the result of each election.

356.

The Vice-Chancellor shall have the power to hold elections in anticipation of vacancies about to occur by efflux of time.

357.

Except as otherwise provided for, the Registrar shall be responsible for the conduct of all elections.

358.

The Registrar shall prepare and publish electoral rolls for persons or public associations or bodies entitled to elect members to the authorities of the University, showing their names and addresses.

358A.

Whenever a by-election becomes necessary, the Registrar shall publish a fresh roll in the case of all constituencies except in the constituency of Registered Graduates. In the case of by-election in the constituency of registered graduates, the Registrar shall publish only a supplement showing the corrections and additions made to the roll since its last publications."

359.

(a)The electoral rolls to be prepared and published by Registrar for election to the Senate of (i) one Head by Heads of recognised institutions under the provisions of section 20(1)(B)(ii) of the Act, and (ii) members under the provisions of section 20(1) (xvii) of the Act, shall include the names of only those Heads of Institutions who were Heads of the Recognised Institutions and donors, respectively, at least 15 clear days before the date of preparation of the roll for the election.(b)The electoral roll to be prepared and published by the Registrar for election to the Senate of (i) twenty-five teachers, faculty wise, under the provisions of section 20(1)(B)(iii) of the Act, (ii) two Heads of Higher Secondary Schools under the provisions of section 20(1)(B)(iv) of the Act, (iii) two teachers of Higher Secondary Schools under the provisions of section 20(1)(B)(v) of the Act, (iv) twenty-five Registered Graduates under the provisions of section 20(1)(B)(vi) of the Act, (v) one representative of Municipal Councils in each of the Districts of Kolaba, Thane and Ratnagiri under section 20(1)(B)(iii) of the Act, (vi) two representatives of Commercial and Industrial Bodies in the University area, under the provisions of section 20(1)(B)(xiii) of the Act, (vii) one representative of the Registered Trade Unions in the University area under the provisions of section 20(1)(B)(xiv) of the Act, (viii) one representative of the Co-operative Societies in the University area under the provisions of section 20(1)(B)(xv) of the Act, shall include the names of those (i) teachers, (ii) Heads of Higher Secondary Schools, (iii) teachers of Higher Secondary Schools, (iv) Registered Graduates (v) Municipal Councillors, (vi) Commercial and Industrial Bodies, (viii) Registered Trade Unions (viii) Cooperative Societies, information in respect of which is received on or before the date to be fixed by the Vice-Chancellor for preparation of the roll of the respective constituency and who are eligible for being enrolled in the respective rolls.

360.

Except when an election is held at a meeting, the persons or public associations or bodies, as the case may be, entitled to vote at an election to any of the authorities shall, respectively, be the persons or public associations or bodies whose names are entered on their respective rolls.

361.

The Vice-Chancellor shall have the authority to correct the rolls, if any omission or wrong entries be brought to his notice at least 15 clear days before the date of election. The Vice-Chancellor's decision in the matter shall be final.

362.

Copies of the rolls shall be delivered on application to any person on payment of any such fees as may be prescribed.

363.

Whenever there is a vacancy in the Senate -(a)The notice of election in all constituencies, other than the constituency of registered graduates, shall be forwarded to all electors in the constituency concerned at least 30 clear days before the date of election. The notice shall state the date fixed as the last day for receiving nominations and the date of election. In the case of election in the constituency of registered graduates, the notice of election shall be published in the newspapers selected by the Vice-Chancellor at least 30 clear days before the date of election.(b)A list of the nominated candidates in all constituencies other than the constituency of Registered Graduates, giving their names, addresses and designations, if any, shall be forwarded to every elector at his registered address at least 10 clear days before the date of election.In the case of the constituency of Registered Graduates, and of the nominated candidates shall be published in the newspaper selected by the Vice-Chancellor, at least 10 clear days before the date of election.

364.

Any two electors, or any two members of a Public Association body entitled to vote may, after the notice of election is issued, nominate as a candidate any person by sending to, or delivering at, the University Office a nomination paper before 4 o' clock afternoon, 21 clear days before the date of election.

365.

Nomination papers shall be in the prescribed form, and shall be dated and signed by any two electors, or by any two members of a Public Association or body entitled to vote, and where possible, shall contain the names in full, addresses and designations, if any, of the two signatories, and the candidate nominated. No person shall be nominated as a candidate for election unless he signifies his consent on the nomination paper. It shall not be open to an elector to propose or second the candidature of more persons than the number of vacancies to be filled. A nomination paper which does not comply with all the requirements herein mentioned shall be invalid and in shall be rejected.

366.

It shall be open to a candidate to withdraw from an election provided that the candidate wishing to withdraw, sends into the Registrar an intimation of such withdrawal in writing signed by the candidate, so as to reach him within two days after the date and hour fixed as the last date and hour for the receipt of nominations.

367.

(1) Every candidate in an election to the Senate by the constituency of registered graduates shall, before nomination, deposit with the Registrar a sum of Rs. 250/- in cash. The candidate shall not be deemed to be duly nominated unless the said deposit has been made. (2) The said deposit shall be forfeited to the University if the candidate is not elected and the number of votes credited to him at the last count before he is excluded or before the last of the successful candidates is elected is less than one-eighth of the quota. (3) The said deposit shall be returned (a) if the candidate is elected. Or (b) if he duly withdraws his candidature, Or (c) if his nomination is declared invalid, Or (d) if he dies before the date fixed for the scrutiny of votes, Or (e) if the candidate is not elected and the deposit has been forfeited under clause (2) hereof.

368.

(a) As soon as possible after the last day fixed for the receipt of nominations, at a time and place fixed by the Vice-Chancellor, and notified in the notice of election, the Vice-Chancellor or any person or persons nominated by him shall scrutinise the nominations. The candidate or his agent duly authorised by him in writing in this behalf shall be entitled to be present at such scrutiny. (b) In the case of a dispute or doubt, the Vice-Chancellor shall determine whether a person is disqualified under the Statutes or not.

369.

If the number of candidates nominated does not exceed the number of vacancies to be filled, the candidates so nominated shall be declared to have been elected.

370.

A voting paper shall be as far as possible, in the following form : Voting Paper
University of Bombay
Election by

Names of Candidates Order of Preference

371.

(1)Each elector shall have one transferable vote.(2)An elector in recording his vote :-(a)must place on his voting paper the figure 1 opposite the name of the candidate for whom he votes in the column of "order of preference".(b)may, in addition indicate the order of his choice or preference for as many other candidates as he placing by placing against their respective names the figures 2, 3, 4 and so on, in consecutive numerical order.

372.

A voting paper is invalid if(a)the figure 1 standing alone, indicating a first preference, is not placed;Or(b)the figure 1 standing alone, indicating a first preference, is placed opposite the names of more than one candidate;Or(c)the figure 1 standing alone, indicating a first preference and some other figures are placed opposite the name of the same candidate;Or(d)it cannot be determined for which candidate the first preference of the voter is recorded;Or(e)in an election by ballot any mark is placed by the voter by which he may afterwards be identified;Or(f)there is any erasure or alteration in the figures indicating the voter's preference.

373.

The following shall be the procedure for the recording of votes by ballot -(1)The Executive Council shall provide one or more polling centres within the University area, and appoint an election officer or officers at such centres.(2)The election officer shall keep order at the polling station.(3)No voter shall be allowed to enter the polling station for recording his vote after the expiry of the period fixed for the purpose.(4)Each polling station shall have such number of compartments as the election officer thinks necessary to enable each voter to record his vote, screened from observation.(5)Immediately before the polling commences, the election officer shall show to the candidate/candidates and/or their representative/representatives present at the station that the ballot box is empty and shall them lock and seal it for use.(6)Immediately before the ballot paper is issued to a voter, the number of the voter entered on the counterfoil shall be signed by the voter, and a mark shall be placed by the issuing officer in his copy of the electoral roll against the number of the voter.(7)The voter on receiving the ballot paper shall forthwith proceed to one of the compartments, where he shall mark and put his paper into the ballot box.(8)Every voter shall vote without undue delay and shall quit the polling station as soon as he has put his ballot paper into the ballot box.(9)If a voter spoils his ballot paper inadvertently, he may be given another and the spoilt paper and its counterfoil shall be cancelled by the election officer.

374.

Notwithstanding what is contained in section 373, the Executive Council may also provide one or more polling centres at such place or places outside the University area where one or more educational institutions admitted to the privileges of the University under sub-section (8) of section 5 of the Bombay University Act, 1974, are situated for purposes of elections by the constituencies of

teachers and registered graduates and appoint an election officer or officers at such centre or centres. Procedure for Election by Post

375.

Except when otherwise provided, in the case of an election to be held by post to any authority of the University, the notice of election shall be given to all electors at least 30 clear days before the date of election. The notice shall state the date fixed for receiving nominations. The nominations shall be sent to the Registrar so as to reach him at least 15 clear days before the date of election. The nominations shall be scrutinised by the Registrar. It shall be open to a candidate to withdraw from an election, provided that the candidate wishing to withdraw, sends in to the Registrar, an intimation of such withdrawal in writing signed by the candidate, so as to reach him within two days after the date and hour fixed as the last date and hour for the receipt of nominations.

375A.

Where the election is held by post, the Registrar shall send, soon after the nominations have been scrutinised to each elector at his registered address (a) a voting paper bearing the name of the constituency and (b) a smaller cover bearing the name of the constituency and (c) a bigger cover on which are printed on the left half, the number of elector and the name of the constituency and form of the certificate of identity, and on the right half, the words "To the Registrar". The voter shall enclose the voting paper, duly filled in, but without the name or the signature of the voter, in the smaller cover and enclose this again in the bigger cover, sign the certificate of identity on it, get his signature attested, and send it to the Registrar so as to reach the University office before the time announced for the election.

376.

The certificate of identity required by statute 375A shall be signed by the elector or the Chairman or President of the public association or the body entitled to vote, in the presence of, and shall be attested by a Magistrate, a member of the Senate of the University for the time being, the head of a Higher Secondary School, or a teacher as defined by the relevant Statutes.

377.

An elector who has not received his voting paper and other connected papers sent by post, or whose papers before they are returned to the Registrar, have been lost or spoilt in such manner that they cannot be conveniently used, on his transmitting to the Registrar a declaration to that effect signed by himself may require the Registrar to send him new papers in place of those not received, spoilt, or lost; and if the papers have been spoilt, the spoilt papers shall be returned to the Registrar, who shall cancel them on receipt. In every case when new papers are issued, a mark shall be placed against the number of the elector's name in the register to denote that new papers have been issued in place of those not received, spoilt or lost, and the old papers shall be deemed as

cancelled.Procedure for Election by Ballot at a Meeting

378.

The following rules shall apply to elections by the Authorities of the University and elections of a Head of a University Department and of a Dean on the Executive Council under section 23(1) of the Act, which shall be held at a meeting."

378A.

In the case of an election to be held at a meeting of any authority of the University, the notice of election shall be given to all the electors at least 21 clear days before the day of election. The notice shall state the date fixed as the last day for receiving nominations. The nominations shall be sent to the Registrar so as to reach him at least 10 clear days before the date of the meeting. The nominations shall be scrutinised by the Registrar. A candidate nominated for election may withdraw his candidature at any time before the poll is taken at the meeting, either personally or by writing a letter addressed and sent to the Registrar so as to reach him before the hour fixed for the meeting.

379.

The time during which the ballot box shall be kept open for the receipt of voting papers as determined by the Vice-Chancellor or the member authorised under the Statute for convening the said meeting shall be precisely notified to the voters in the notice of election.

380.

Voting papers with the names of persons nominated, printed or typed thereon, will be furnished at the meetings held for the purpose of the election. All the eligible members present at the meeting shall be entitled to vote in the election. When two or more authorities or bodies are jointly entitled to elect a representative and the election takes place at a meeting, a member who is common to two or more authorities or bodies shall be entitled to only one vote. The scrutiny shall be conducted by the Registrar and not less than two scrutineers to be selected by the Chairman of the meeting from among those present at the meeting.

381.

Not less than four clear days before the meeting, the names of persons duly nominated shall be notified to all those entitled to be present and to vote at the meeting.Scrutiny and Counting of Voting Papers

382.

All voting papers shall be scrutinised by the Registrar and by such other person or persons as may be nominated by the Vice-Chancellor. The Registrar may delegate his power in relation to this Statute to the Deputy Registrar.

383.

After the voting papers for an electoral body have been scrutinised and counted, the Registrar shall examine the voting papers and shall sort them into parcels according to the first preference recorded for each candidate, rejecting voting papers that are invalid.

384.

The Registrar shall then count the number of papers in each parcel and shall credit each candidate with a number of votes equal to the number of valid papers on which a first preference has been recorded for such candidate, and he shall ascertain the total number of valid papers, and also determine the quota..

385.

If, at the end of any count the number of votes credited to a candidate is equal to or greater than the quota, the candidate shall thereupon be elected.

386.

(1) If, at the end of any count, the number of votes credited to a candidate is greater than the quota the surplus shall be transferred, as in this Statute provided, to the continuing candidates for whom the next available preferences have been recorded on the voting papers in the parcel or sub-paragraph last received by the elected candidate. (2) (a) If more than one candidate has surplus, the largest surplus shall be first dealt with. (b) If two or more candidates have each an equal surplus, the surplus of the candidate with the greatest number of votes at the first count at which the candidate in question has an unequal number of votes shall be first dealt with. When the number of votes credited to such candidates are equal at all counts, the Registrar shall determine by lot which surplus he will first deal with. (3) The Registrar shall not transfer a surplus when that surplus together with any other surplus not transferred, is less than the difference - (a) between the votes of the candidates lowest on the poll and the votes of the next highest candidate; Or (b) between the total of the votes of the two or more candidates lowest on the poll and the votes of the next highest candidate, provided that the exclusion from the poll of the aforesaid two or more candidates lowest on the poll shall not reduce the number of continuing candidates below the number of vacancies remaining to be filled. (4) (a) If the votes credited to an elected candidate consist of original votes only, the Registrar shall examine all the papers contained in the parcel of the elected candidate whose surplus is to be transferred. (b) If the votes credited to an elected candidate consist of original

and transferred votes, or transferred votes only, the Registrar shall examine the papers contained in the sub-parcels last received by the elected candidate whose surplus is to be transferred.(c)In either case, the Registrar shall sort the transferable papers into sub-parcels according to the next available preferences recorded thereon, shall make a separate sub-parcel of the non-transferable papers and shall ascertain the number of papers in each sub-parcel of transferable papers.(5)If the total number of papers in the sub-parcels of transferable papers is equal to or less than the surplus, the Registrar shall transfer the whole of each sub-parcel of transferable papers to the continuing candidates indicated thereon as the elector's next available preference, and shall set aside as a separate parcel so many of the non-transferable papers as are not required for the quota of the elected candidate. The particular papers set aside shall be those last filed in the parcel of non-transferable papers.(6)(a)If the total number of transferable papers is greater than the surplus, the Registrar shall transfer from each sub-parcel of transferable papers to the continuing candidate indicated thereon as the elector's next available preference the number of papers which bears the same proportion to the number of papers in the sub-parcels as the surplus bears to the total number of transferable papers.(b)The number of papers to be transferred from each sub-parcel shall be ascertained by multiplying the number of papers in the sub-parcel by the surplus and dividing the result by the total number of transferable papers. A note shall be made of the fractional part, if any of each number so ascertained.(c)If, owing to the existence of such fractional parts, the number of papers to be transferred is less than the surplus, so many of these fractional parts taken in the order of their magnitude, beginning with the largest, as are necessary to make the total number of papers to be transferred equal to the surplus shall be reckoned as of the value of unity, and remaining fractional parts shall be ignored.(d)If two or more fractional parts are of equal magnitude, that fractional part shall be deemed to be the largest which arises from the largest sub-parcel, and if the sub-parcels in question are equal in size, the fractional part credited to the candidates with the greatest number of votes at the first count at which the candidates in question have an equal number of votes shall be deemed to be the largest. When the number of votes credited to such candidates are equal at all counts, the Registrar shall determine by lot which fractional part shall be deemed to be the largest.(e)The particular papers transferred from each such parcel shall be those last filed in the sub-parcel and each paper to be transferred shall be marked in such a manner as to indicate the count at which the transfer took place.

387.

(1)If, at the end of any count, no candidate has a surplus or if any existing surplus need not be and is not transferred, and one or more vacancies remain in to be filled, the Registrar shall exclude from the poll the candidate lowest on the poll.(2)If the total of the votes of the two or more candidates lowest on the poll, together with any surplus not transferred, is less than the number of votes credited to the next highest candidate the Registrar may at the same count exclude the aforesaid two or more candidates lowest on the poll, provided that the exclusion of these candidates shall not reduce the number of continuing candidates, below the number of vacancies remaining to be filled.(3)If, when a candidate has to be excluded, two or more candidates have each the same number of votes and are lowest on the poll, the candidates with the lowest number of votes at the first count at which the candidates in question have an unequal number of votes shall be excluded and when the number of votes credited to these candidates are equal at all counts, the Registrar

shall determine by lot who shall be excluded.(4)Upon the exclusion of any candidate, the Registrar save as hereinafter provided, shall examine all the papers credited to that candidate shall sort the transferable papers into sub-parcels according to the next available preference recorded thereon for continuing candidates; shall transfer each sub-parcel to the candidate for whom that preference is recorded; and shall set aside as separate sub-parcel the non-transferable papers.

388.

(1)If, at the end of any count, the number of elected candidates is equal to the number of vacancies to be filled, to further transfer of votes shall be made.(2)If on the exclusion of a candidate or candidates the number of the then continuing candidates is equal to the number of vacancies unfilled, the continuing candidates shall thereon be elected, and no further transfer of votes shall be made.

389.

The order of priority of election of elected members shall be the order in which they are severally elected. If, at the end of any count two or more candidates are elected, the order of priority shall be according to the number of votes credited to such candidates beginning with the greatest.

390.

(1)Whenever any transfer is made, each sub-parcel of papers transferred shall be placed on the top of the parcel, if any, of papers of the candidate, to whom the transfer is made and that candidate shall be credited with a number of votes equal to the number of papers transferred to him.(2)Non-transferable papers, except such as in the transfer of a surplus may be required for the quota of the elected candidates shall be set aside as a separate parcel together with any parcel of non-transferable papers already set aside.(3)On the transfer of the surplus of an elected candidate, all papers not transferred to continuing candidates and not set aside as provided in the preceding paragraph, shall be placed together in one parcel as the quota of the elected candidate and the parcel shall be marked with the name of the elected candidate.

391.

After the scrutiny is completed, the Registrar shall forthwith report to the Vice-Chancellor the result of the scrutiny.

392.

On the result of the election being reported as aforesaid, the results of the scrutiny showing for each candidate the number of first votes obtained and the successive additions to or subtractions from the number till the candidate was excluded or elected shall be published by the Registrar. The appeal against the decision of the election shall be preferred within 30 days from the date of

declaration of the election results. During that period the ballot papers shall be preserved. If after 30 days no appeal is preferred and admitted, the ballot papers shall be destroyed after 15 days from the last date of appeal or after 45 days from the date of declaration of the results of election.

393.

(a) If any candidate is elected to the Senate or to another authority or body by more than one constituency, he shall by notice in writing signed by him and delivered to the Registrar of the University within seven days of the publication of the results of the last of such elections, choose which of these constituencies he shall represent, and such choice shall be conclusive. (b) If the candidate does not make the choice referred to herein within the specified period of time the Vice-Chancellor shall decide which constituency he will represent and his decision shall be final. (c) When any such choice has been made by the candidate or a decision given by the Vice-Chancellor, the Vice-Chancellor shall direct the Registrar to take steps for holding an election in the constituency, in which a vacancy has occurred by reason of such choice.

394.

Whenever the expression "clear days" appears in the above Statutes for the purpose of counting the day, the first and the last day shall be excluded. Registration of Graduates (Under section 81 of the Act)

395.

Subject to section 81(2)(a), (b) and (c) of the Act the name of a graduate registered before the commencement of the Bombay University Act, 1974 shall be entered in the register of graduates.

396.

Under clause (3) of section 81 of the Act, every person who intends to be a Registered Graduate of the University shall make an application to the Registrar in the following prescribed form and pay a fee of rupees five. He shall be entitled to register his name only in one Faculty and shall clearly specify in the application the Faculty, viz., Arts, Science, Technology, Law, Medicine, Commerce, Dentistry, Fine Arts or Ayurvedic Medicine in which he desires to be registered as a Registered Graduate.

397.

Under clause (c) of section 81(1) of the Act, a graduate of the University of Poona constituted under the Poona University Act, 1948, or of the Shivaji University constituted under the Shivaji University Act, 1962, who has passed the qualifying examination for a degree from any of the colleges from Greater Bombay, and the Thana and Kolaba Districts in the case of the Poona University and from any of the colleges from the Ratnagiri district, in the case of the Shivaji University, which were

affiliated to those Universities, at any time, before the commencement of the Bombay University Act, 1974, and are now affiliated to this University, shall be entitled to be enrolled as a registered graduate of this University, on payment of the prescribed fee, provided that such graduate ordinarily resides in the University area.

398.

Registered Graduates shall notify to the Registrar every change of their addresses.

399.

The Registers of Graduates shall be revised at the end of every six years from the date they have been prepared, first for the purpose of elections under the Bombay University Act, 1974. Form prescribed under section 396 Registration of Graduates (Application Form) (Note : A person can register his name only in one Faculty) To. The Registrar, University of Bombay, Bombay - 400 032. Sir. I hereby apply for the registration of my name as a Graduate of the University of Bombay under the provisions of section 81 of the Bombay University Act, 1974.

2. I give below particulars regarding my name, address, the degree obtained by me from the Statutory University, etc.:-

(i) My full name is (ii) My address for sending all notices in connection with elections in the constituency of Registered Graduates is as follows (iii) Examinations passed, Class obtained, and the name of the University : University Examinations Class (iv) Year of obtaining the Degree/s

3. I hereby produce the degree certificate along with a copy of the same.

4. I send herewith in cash/Indian Postal Order the Registration fee of Rs. 5/- (Rupees Five) only prescribed in that behalf.

5. I desire that my name be registered in the register of Faculty of (State here; Arts, Science, Technology, Law, Medicine, Commerce, Dentistry, Fine Arts or Ayurvedic Medicine as the case may be for the purpose of election).

6. I hereby declare that my name has not been registered as a Graduate in any other University established by law in the State of Maharashtra.

Yours faithfully, (Signature).