

# C.U. Shah University First Statutes 2013

GUJARAT

India

## C.U. Shah University First Statutes 2013

### Rule C-U-SHAH-UNIVERSITY-FIRST-STATUTES-2013 of 2013

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GH/SH/65/FSU/2013/1260/KH-1. - In exercise of the powers conferred by the section 26 of the Gujarat Private Universities Act, 2009 (Gujarat Act No.8 of 2009), the Government of Gujarat hereby approves the First Statutes of C. U. Shah University, Wadhwan City, District Surehdanagar as proposed by the Governing Body of the university in its meeting held on 11.09.2013.

## Chapter I Preliminary

### 1.

(1) This "first statutes" shall be called the 'C. U. Shah University' First Statutes 2013. (2) They shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

### 2.

In these Statutes, unless the context otherwise requires, (a) "AICTE" means All India Council for Technical Education established under section 3 of the All India Council for Technical Education Act, 1987, (b) "CSIR" means the Council of Scientific and Industrial Research, New Delhi, a funding agency of the Central Government; (c) "Distance Education" means imparting of education through any means of communication, such as broadcastings, telecasting, correspondence, courses, seminars, contact programmes or the combination of any two or more of such means; (d) "DST" means the Department of Science and Technology of the Central Government; (e) "Fee" means collection made by the University from the students for different purposes under different heads and which is non-refundable; (f) "Government" means the Government of Gujarat; (g) "Higher

Education" means study of a curriculum or course for the pursuit of knowledge beyond 10+2 level;(h)"Hostel" means a place of residence for the students of the University, or its colleges, institutions or centres, maintained or recognised to be as such by the University;(i)"ICAR" means the Indian Council of Agricultural Research, a society registered under the Societies Registration Act, 1860;(j)"NAAC" means the National Council of Assessment and Accreditation, an autonomous institution of the UGC;(k)"NCTE" means the National Council for Teacher Education established under the National Council for Teacher Education Act, 1993;(l)"Off Campus Centre" means a centre established by the University outside the main campus but within the State of Gujarat operated and maintained as its constituent unit, having the University's complement of facilities, faculty and staff;(m)"Patron" trustee means the patron trustee of the Sponsoring body, Vardhman Bharti Trust, Wadhwan City, District Surendranagar.(n)"PCI" means Pharmacy Council of India constituted under section 4 of the Pharmacy Act, 1948;(o)"prescribed" means prescribed by rules made under this statute;(p)"President" means the President of the University; -(q)"Provost" means the Provost of the University appointed by the Governing Body of the University;(r)"Registrar" means the Registrar of the University;(s)"Regulatory Body" means a body established by the Central Government, for laying down the norms and conditions for ensuring academic standards of higher education, such as UGC, AICTE, NCTE, PCI, NAAC, ICAR, DEC. CSIR;(t)"Rules" means rules made under section 33;(u)"Schedule" means the Schedule appended to this statute;(v)"Sponsoring body" in relation to a University established under this statute means:i. a society registered under the Societies Registration Act, 1860. Registration no, GUJ/52/Surendranagar dated March 6, 1969;ii. a public trust registered under the Bombay Public Trusts Act, 1950 named Vardhman Bharti Trust, Wadhwan City, Registration No. F/43/ Surendranagar, dated March 6, 1969;(w)"Statutes" and "Ordinances" means the Statutes and the Ordinances of the University;(x)"Student" means a student of the University and includes any person enrolled in the University for pursuing any course of study for a degree, diploma or other academic distinction duly instituted by the University, including a research and post research degree;(y)"Study Centre" means a Centre established, maintained or recognised by the University for the purpose of advising, counselling or for rendering any other assistance required by the students in the context of distance education in the State of Gujarat;(z)"Teacher" means a Professor, Associate Professor, Assistant Professor, Lecturer, Tutor, Librarian or any other person required to impart education or to guide research or to guide in any other form to the students for pursuing a course of study of the University;(aa)"UGC" means the University Grants Commission established under section 4 of the University Grants Commission Act, 1956;(ab)"University" means C U Shah University, Wadhwan City, District Surendranagar, Gujarat, a Private University established under section 3.2.1 Words and expressions used but not defined in these statutes shall have the meaning assigned to them in the statute.

## **Chapter II**

### **Establishment of University**

#### **3.**

(1) There shall be established a private University by the name C U Shah University, Wadhwan City, District Surendranagar not a body owned, controlled and substantially financed directly or

indirectly by funds provided by any Government;(2)The headquarters of the University shall be Wadhwan City, District Surendranagar.(3)The Governing Body, the Board of Management the Academic Council, the President, the Provost, the Registrar, the teachers, the Chief Finance and Accounts Officer and such other officers or members or authorities so long as they continue to hold such office or membership of the University will constitute a body corporate by the name C U Shah University, Wadhwan City, District Surendranagar.(4)The University shall function as non-affiliating University and it shall not affiliate any other college or institution for the conferment of degree, diploma and for grant of certificate to the students admitted therein.(5)The constituent colleges and institutions of the Sponsoring Body affiliated to and enjoying the privileges of any University immediately before the commencement of this statute shall cease to be affiliated from that University and shall be deemed to be withdrawn from such privileges from the date of commencement of this statute and shall be deemed to be admitted to the privileges of corresponding University of the respective Sponsoring Body specified in the Schedule and all such colleges and institutions shall be the constituent colleges and institutions of the University.(6)The University shall be a body corporate by the name C U Shah University; Wadhwan City, District Surendranagar and shall have perpetual succession and common seal with power, subject to the provisions of this statute, to acquire and hold property, to contract and shall, by the said name, sue or be sued.(7)In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all process in such suits and proceeding shall be issued to and served on, the Registrar.

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

- The objects of the University shall be to create, organise, preserve and disseminate knowledge in the fields of science, technology, humanities, social sciences, education, management, commerce, law, pharmacy, healthcare and any other field for the advancement of mankind in particular and other objects of the University shall be as follows, namely:-(a)to provide for instruction, teaching and training in the University in the field of higher education and make provisions for research, advancement and dissemination of knowledge;(b)to establish, maintain, and manage institutions, and centres of excellence, to create, organise, preserve and disseminate knowledge in the fields of sciences, technology, humanities, social sciences, education, management commerce, law, pharmacy, health care and any other field and to provide research, higher education, professional education, distance learning and e-learning facilities of high order, as per their current status or as they may develop in future;(c)to develop infrastructure for research, higher education, professional education, teaching, training extension and outreach, including continuing education, distance learning and e-learning, to create capabilities for upgrading infrastructure to global standards;(d)to offer the academic programmes of the University through distance education, online education, correspondence and any other mode matching with the environmental developments such as technology need, after obtaining appropriate approvals from the regulatory bodies;(e)to set up off-campus centres, study centres and examination centres within the State, subject to the permission of the regulatory bodies under any law made by the Parliament and any regulation, rules, etc. made by the regulating bodies;(f)to create higher levels of intellectual abilities;(g)to establish state of the art facilities for education and training;(h)to carry out teaching and research and offer continuing education programmes;(i)to create centres of excellence for research and

development, and for sharing knowledge and its application;(j)to provide consultancy to the industry and public organizations;(k)to establish main campus or infrastructure in the State of Gujarat necessary for the furtherance of its objects;(l)to establish examination centres;(m)to confer degrees, diplomas, grant certificates and other academic distinctions on the basis of examination or any other method of evaluation subject to the guidelines of the UGC,.(n)to develop training facilities in the field of higher education;(o)to provide for arrangement for national and global participation in the field of higher education;(p)to develop educational programmes for certificates, diplomas, degrees and postgraduate courses, doctorate degrees and postdoctoral programmes and to maintain a high standard of education to collaborate with national and global institutions, to offer programmes and to create capabilities for upgrading programmes to the global standards subject to the guidelines of the UGC;(q)to ensure that the standard of the degrees, diplomas, certificates and other academic distinctions are not lower than those laid down by AICTE, NCTE, UGC, PCI and any other similar agency established by the Central Government for regulating the standard education;(r)to establish close linkage with the industry, business,- educational institutions and other sections of the society to make teaching, research, training, documentation, publication, use of various media and outreach activities at the University relevant to the needs of the University and society, at national and international level;(s)to pursue any other objectives as maybe approved by the State Government:Provided that notwithstanding anything contained in this statute and save as provided in any Central Act, the University shall be eligible to undertake the functions of disseminating of knowledge only in the fields for which the State Government has issued letter of intent or in the fields subsequently approved by the State Government.

## **5. Powers and functions of University.**

- The University shall exercise the following powers and perform the following functions, namely:-(i)to administer and manage the University; establish, administer and manage its constituent colleges and centres for research, education, training, extension and outreach including continuing education, distance learning and e-learning at its campus within the State of Gujarat;(ii)to provide for research, higher education, professional education, teaching, training, extension and outreach including continuing education, distance learning and e-learning in the fields of science, technology, humanities, social sciences, education, management commerce, law, pharmacy, health care and any other fields;(iii)to conduct innovative experiments in educational technologies, teaching and learning methods, to collaborate with national and international institutions and to offer joint programmes with such institutes to constantly improve the delivery of education and to achieve international standards of education;(iv)to prescribe courses, curricula and methodologies including electronic and distance learning and provide for flexibility in the delivery of education;(v)to hold examinations and confer degrees, diplomas or grant certificates and other academic distinctions or titles on persons subject to such condition as the University may determine and to withdraw or cancel any such degrees, diplomas or certificates and other academic distinctions or titles in the manner prescribed by the Regulations;(vi)to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;(vii)to establish schools, centres, institutes, colleges and conduct the programmes and courses of study as are in the opinion of the University, necessary for the furtherance of its objects;(viii)to declare as a constituent college, any college, centre institution imparting education as are in the opinion of the University, necessary for

the furtherance of its objects or to establish a new constituent college, centre institution for the purpose;(ix)to provide for printing, publication and reproduction of research, educational material and other works and to organize exhibitions, conferences, workshops and seminars;(x)to establish knowledge resource centre;(xi)to sponsor and undertake research and educational programmes in the fields of science, technology, humanities, social sciences, education, management, commerce, law, pharmacy, health care and any other allied areas;(xii)to collaborate or associate with any educational institution with like or similar objects;(xiii)to establish campuses including virtual campus for the purpose of achieving the objectives of the University;(xiv)to undertake research and to obtain registration in respect of such research in the nature of patents, design rights and such or similar rights with the competent authorities.(xv)to maintain linkages and collaborate with educational or other institutions in any part of the world having objects wholly or partially similar to those of the University, through exchange of students, researchers, faculty and staff and generally in such manner as may be conducive to their common objects;(xvi)to render services of research, training, consultancy and such other services as required for the purposes of the University;(xvii)to develop and maintain relationships with faculty researches, administrators and domain experts in science, technology, humanities, social sciences, education, management, law, commerce, pharmacy, health care and allied area for achieving the objects of the University;(xviii)to regulate the expenditure and to manage the finances and to maintain the accounts of the University;(xix)to receive funds, movable and immovable properties, equipment software and other resources from business, industry, other sections of society, national and international organizations or any other source by transfers or as gifts, donations, benefactions or bequests for the purposes and objects of the University;(xx)to establish, maintain and manage halls, hostels for students and quarters for the residence of faculty and staff;(xxi)to construct, manage and maintain centres, complexes, auditorium, buildings, stadium for the advancement of sports, cultural co-curricular and extra-curricular activities;(xxii)to supervise and control the residence and regulate the discipline of students, faculty and staff of the University and to make arrangements for promoting their health, general welfare, social and cultural activities;(xxiii)to fix, demand and receive or recover fees and such other charges as may be prescribed by the Statutes;(xxiv)to institute and award fellowships, scholarships, prizes, medals and other awards;(xxv)to purchase or to take on lease or accept as gifts, bequests, legacies or otherwise any land or building or works which may be necessary or convenient for the purpose of the University and on such terms and conditions as it may think fit and proper and to construct or alter and maintain any such buildings or works;(xxvi)to sell, exchange, lease or otherwise dispose-off all or any portion of the properties of the University, movable or immovable, on such terms as it may think fit and consistent with the interest, activities and objects of the University;(xxvii)to draw and accept, to make and endorse, to discount and negotiate promissory notes, bills -of exchange, cheques and other negotiable instruments;(xxviii)to raise and borrow money on bond, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities and upon such terms and conditions as it may think fit and to payout of the funds of the University, all expenses incidental to the raising of money, and to repay and redeem any money borrowed;(xxix)to invest the funds of the University in or upon such securities and transpose any investment from time to time in such manner as it may deem fit in the interest of the University;(xxx)to execute conveyances regarding transfers, mortgages, leases, licenses, agreements, and other conveyances in respect of property, movable or immovable including Government securities belonging to the

University or to be acquired for the purpose of the University;(xxxi)to admit students for the courses offered by the University in the manner prescribed by the Ordinances;(xxxii)to create academic, technical, administrative, ministerial and other posts prescribing qualifications by the Ordinances and to make appointments thereto;(xxxiii)to regulate and enforce discipline among the students, employees of the University and to provide for such disciplinary measures as may be prescribed by the Regulations;(xxxiv)to institute professorships, associate professorships, assistant professorships, readerships, lectureships, and any other teaching, academic or research posts and to prescribe by the Statutes, the qualifications for the persons to be appointed on such posts;(xxxv)to appoint qualified persons as professors, associate professors, assistant professors, readers, lecturers or as teachers and researchers or other officer of the University;(xxxvi)to co-operate with other Universities, and acquire membership of bodies, authorities, or associations, which may have been formed for the advancement of learning, science or research, or for the dissemination of knowledge or for the physical and moral welfare of students, in such manner and for such purpose as the University may determine by Statutes;(xxxvii)to delegate all or any of its powers (except the power to make regulations) to any officer or authority of the University, and;(xxxviii)to do all such acts and things as the University may consider necessary conducive or incidental to the attainment or enlargement of all or any of the objects of the University.

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

(1)No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma or other academic, distinction or course of study in the ground of sex, race, creed, class, caste, place of birth, religious belief or political or other opinion.(2)It shall not be lawful for the University to impose on any person any test whatsoever relating to sex, race, creed, class, caste, place of birth, religious belief or political or other opinion in order to entitle him/her to be admitted as a student or to hold any office or post in the University or to qualify for any degree, diploma, or other academic distinction or to enjoy or exercise any privileges of the University or any benefaction thereof.

## **Chapter III**

### **Officers of University**

## **7. Officers of University.**

- The following shall be the officers of the University, namely:-(a)The President;(b)The Provost;(c)The Registrar(d)The Chief Finance and Accounts Officer; and(e)such other officers as may be declared by the statutes or decided by the Governing Body shall be the officers of the university.

## **8. President.**

(1)The President shall be appointed by the Vardhman Bharti trust, Wadhwan City, District Surendranagar, the sponsoring body in consultation with the State Government, for a period of

three years by following such procedure and on such terms and conditions as may be prescribed by the Statutes.(2)The President shall be the Head of the University.(3)The President shall preside at the meetings of the Governing Body and at the convocation of the University for conferring degrees, diplomas or other academic distinctions and in his/her absence, by any other member of the Governing Body nominated by it.(4)The President shall have the following powers, namely:-(a)to call for any information or record;(b)to appoint the Provost;(c)to remove the Provost in accordance with the provisions of sub-section (6) of section 09;(d)Such other powers as may be prescribed by the Statutes; and he/she is empowered to take the decisions from time to time in the interest of the University for the matters not included so far in the statutes;

## **9. Provost.**

(1)The Provost shall be appointed by the President of the Governing Body of the University:Provided that, after expiry of the term of three years, a person shall be eligible for reappointment for another term of three years:Provided further that a Provost shall continue to hold the office even after expiry of his term till new Provost takes charge of the office, but in any case this period shall not exceed one year:Provided also that the President may appoint first Provost for a period of one year or until the regular Provost is appointed under this section whichever is earlier.(2)The Provost shall be the principal executive and academic officer of the University and shall exercise general superintendence and control over the affairs of the University and shall execute the decisions of various authorities of University.(3)Where in the opinion of the Provost, it is necessary to take immediate action on any matter for which powers are conferred on any other authority by or under this statute, he/she may take such action as he/she deems necessary and shall at the earliest opportunity thereafter report his/her action to such officer or authority as would have in the ordinary course dealt with the matter.Provided that if in the opinion of the Concerned officer or authority such action should not have been taken by the Provost then such case shall be referred to the President, whose decision thereon shall be final.Provided further that where any such action taken by the Provost affects any person in the Service of the University, such person shall be entitled to prefer, within three months from the date on which such action is communicated to him/her, an appeal to the Board of Management and it may confirm or modify or reverse the action taken by the Provost.(4)Where, in the opinion of the Provost decision of any authority of the University is not within the powers conferred by this Statutes or is likely to be prejudicial to the interests of the University, he/she shall request the concerned authority to revise its decision within fifteen days from the date of its decision and in case the authority refuses to revise such decision wholly or partly or fails to take any decision within fifteen days, then such matter shall be referred to the President and his decision thereon shall be final.(5)The Provost shall exercise such powers and perform such functions as may be prescribed by the Statutes or the Ordinances.(6)The President may, on representation made or otherwise and after making such inquiry as may be necessary and is of the opinion that the continuance of the Provost in office is not in the interests of the University, by an order in writing stating the reasons therein, direct the Provost to relinquish his office from the date specified in the order.Provided that before taking an action under this sub-section, the Provost shall be given an opportunity of being-heard.

## **10. Registrar.**

(1)The appointment of the Registrar shall be made by the President of the University in such manner as may be prescribed by the Statutes or decided by the Governing Body from time to time in the interest of the University.(2)All contracts shall be signed and all documents and records shall be authenticated by the Registrar on behalf of the University.(3)The Registrar shall be the Member-Secretary of the Governing Body, the Board of Management and Academic Council, but he shall not have a right to vote.(4)The Registrar shall exercise such powers and perform such duties as may be specified in the Statutes or the Ordinances or decided by the Governing Body from time to time in the interest of the University.

## **11. Chief Finance & Accounts Officer.**

(1)The appointment of the Chief Finance & Accounts Officer shall be made by the President in such manner as may be prescribed by the Statutes.(2)The Chief Finance and Accounts Officer shall exercise such powers and perform such duties as may be specified in the Statutes.

## **12. Other officers.**

(1)The University may appoint such other officers as may be necessary for its functioning.(2)The manner of appointment of other officers of the University and their powers and functions shall be such as may be specified in the Statutes decided by the President from time to time

# **Chapter IV**

## **Authorities of University**

## **13. Authorities of University.**

- The following shall be the authorities of the University, namely:-(a)The Governing Body;(b)The Board of Management;(c)The Academic Council; and(d)such other authorities as may be declared by the Statutes or decided by the Governing Body in the interest of the University to be the authorities of the University.

## **14. Governing Body.**

(1)The Governing Body of the University shall consist of following members, namely:-(a)Those members who are from time to time the trustees of the sponsoring body (the Vardhman Bharti Trust Wadhwan City, District Surendranagar)(b)Secretary to the Govt, of Gujarat, Higher Education, Gandhinagar as an Ex Officio.(2)The President of the University shall be the President of the Governing Body.(3)The Registrar shall be the non-member secretary of the Governing Body.(4)The Governing Body shall be the supreme authority of the University. All the movable and immovable properties of the University shall vest in the Governing Body.(5)The Governing Body shall have the



following powers namely:-(a)to provide general superintendence and directions and to control functioning of the University by using all such powers as are provided by this Statutes made there under;(b)to review the decisions of other authorities of the University in case they are not in conformity with the provisions of this Statutes made there under;(c)to approve the budget and annual report of the University;(d)to lay down the extensive policies to be followed by the University;(e)to recommend to the sponsoring body about the voluntary liquidation of the University; and(f)such other powers as may be prescribed by the Statute as and when necessity has arisen.(6)The Governing Body shall meet at least three times in a calendar year.(7)Minimum four members shall form a quorum for a meeting of the Governing Body.

## **15. Board of Management.**

(1)The Board of Management shall consist of the following persons, namely:--(a)the President;(b)the Provost;(c)two members of the Governing Body, to be nominated by the Sponsoring Body;(d)two persons, who are not the members of the Governing Body, to be nominated by the Sponsoring Body;(e)three persons from amongst the faculty members of the University, to be nominated by the Sponsoring Body; and(f)one faculty member, to be nominated by the President.(2)The President shall be the Chairperson of the Board of Management:Provided that the President shall at his/her discretion, nominate any other member of the Governing Body to be the Chairperson of the Board of Management.(3)The powers and functions of the Board of Management shall be such as may be prescribed by the Statutes or decided by the Governing Body in the interest of the University from time to time.(4)The Board of Management shall meet once in every three months.(5)Minimum four members shall form a quorum for a meeting of the Board of Management.

## **16. Academic Council.**

(1)The Academic Council shall consist of the Provost and such other members as may be prescribed by the Statutes.(2)The Provost shall be the Chairperson of the Academic Council.(3)The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of these Statutes, and the Ordinances made there under, coordinate and exercise general supervision over the academic policies of the University.(4)The quorum for meetings of the Academic Council shall be such as may be prescribed by the Statutes.(5)Minimum four members shall form a quorum for a meeting of the Academic Council.

## **17. Disqualifications.**

(1)A person shall be disqualified for being a member of any of the authorities or bodies of the University, if:(a)He/she is of unsound mind and stands so declared by a competent court;(b)He/she is an undercharged insolvent;(c)He/she has been convicted of any offence involving moral turpitude;(d)He/she is conducting or engaging himself in private coaching with or without pecuniary gain; or(e)He/she has been punished for indulging in or promoting unfair practice in the conduct of any examination, in any form, anywhere.

## **18. Vacancies not to invalidate the constitution or, the proceedings of any authority or body of University.**

- No act or proceedings of any authority of the University shall be invalid merely by reason of any vacancy in or defect in the constitution of any authority or body of the University.

## **19. Committees.**

- The authorities of the University may constitute such committees with such terms of reference as may be necessary for specific tasks to be performed by such committees. The constitution of such committees, powers to be exercised and duties to be performed shall be such as may be prescribed by the Statutes or decided by the Governing Body in the interest of the University from time to time.

# **Chapter VI**

## **Regulation of University**

## **20. Powers of State Government to give directions.**

(1)The State Government may for the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, cause an assessment to be made in such manner as may be prescribed, by such person or persons as it may deem fit.(2)The State Government shall communicate its recommendations to the University on the basis of such assessment for corrective action. The University may adopt such corrective measures and make efforts so as to ensure the compliance of the recommendations.(3)The State Government may give such directions as it may deem fit if the University fails to comply with the recommendation made under sub-section (2) within a reasonable time. The directions given by the State Government shall be immediately applied by the University,

## **21. Admission and fee structure.**

(1)The existing provisions of the State Government relating to admissions and fee structure shall be applicable to such private Universities.(2)Admission in the University shall be strictly on the basis of merit.(3)Merit for admission in the University may be determined either on the basis of marks or grade obtained in the qualifying examination and achievements in co-curricular and extra-curricular activities or on the basis of marks or grade obtained in the entrance test conducted at State level either by an association of the Universities conducting similar courses or by any agency of the State Government:Provided that the admission in professional educational colleges or institutions of the University shall be governed under the provisions of the Gujarat Professional Technical Educational Colleges or Institutions (Regulation of Admission and Fixation of Fees) Act, 2007.

## **22. Convocation.**

- The Convocations of the University may, for conferring degrees, diplomas or for any other purpose, be held in every academic year in the manner as may be prescribed by the Statutes or decided by the Governing Body in the interest of the University from time to time.

## **23. Accreditation of University.**

- The University shall obtain accreditation from the NAAC within five years of its establishment and such other regulating bodies of Government of India which are connected with the courses taken up by the University and inform the State Government about the grade provided to the University. The University shall get renewed such accreditation from time to time.

## **24. University to follow rules, regulations, norms, etc of regulating bodies.**

- Notwithstanding anything contained in this Statutes, the University shall be bound to comply all the rules, regulations, norms, etc. of the regulating bodies of Government of India and provide all such facilities and assistance to such bodies as are required by them to discharge their duties and carry out their functions.

# **Chapter VII**

## **Funds of University**

## **25. Endowment Fund.**

(1)The Vardhman Bharti Trust, Wadhwan City, the sponsoring Body of University shall establish an Endowment Fund for the University with an amount specified in the letter of intent.(2)The Endowment Fund shall be used as security deposit to ensure that the University complies with the provisions of this Statute and functions as per provisions of this Statute and the Ordinances. The State Government shall have the powers to forfeit, a part or whole of the Endowment Fund in case the University or the sponsoring body contravenes the provisions of this Statutes, made there under.(3)The University may utilize the income from Endowment Fund for the development of infrastructure of the University and not with to meet the recurring expenditure of the University.(4)The amount of Endowment Fund shall be invested in such instruments as the Government may prescribe and keep invested until the dissolution of the University.(5)In case of investment in long term security, the certificates of the securities shall be kept in the safe custody of the Government and in case of deposit in the interest bearing Personal Deposit account in the Government Treasury, deposit shall be made with the condition that the amount shall not be withdrawn without the permission of the Government

## **26. General Fund.**

- The University shall establish a fund, which shall be called the General Fund, to which the following shall be credited, namely:-(a)Fees and other charges received by the University;(b)Any contributions made by the sponsoring body;(c)Any income received from consultancy and other work undertaken by the University in pursuance of its objectives;(d)Trusts, bequests, donations, endowments and any other grants; and(e)All other sums received by the University.

## **27. Application of General Fund.**

- The General Fund shall be utilized for the following objects, namely:(a)For the repayment of debts including interest charges thereto incurred by the University for the purposes of this Statutes, the Ordinances, the Regulations, and the Rules made there under with the prior approval of the Governing Body;(b)To upkeep the assets of the University;(c)For the payment of the fee for audit of the funds created under Secs. 25 and 26;(d)To meet with expenses of any suit or proceedings by or against the University;(e)For the payment of salaries, allowances, provident fund contributions, gratuity and other benefits to officers, employees and members of the teaching and research staff;(f)For the payment of travelling and other allowances of the members of the Governing Body, the Board of Management the Academic Council, other authorities and the members of any committee appointed by any of the authority or the Chairperson of the sponsoring body or the Provost;(g)For the payment of fellowships, free ships, scholarships, assistant ships and other awards to the students belonging to economically weaker sections of the society or research associates, trainees or, as the case may be, to any student otherwise eligible for such awards under the Statutes;(h)For the payment of any expenses incurred by the University in carrying out the provisions of this Statutes;(i)For the payment of cost of capital, not exceeding the prime lending rate from time to time of any Nationalised Bank of India, incurred by the Sponsoring Body for setting up the University and the investments made thereof;(j)For the payment of charges and expenditure relating to the consultancy work undertaken by the University in pursuance of the provisions of this Statutes made there under;(k)For the payment of any other expenses including service fee payable to any organisation charged with the responsibility of providing any specific service, including the managerial services to the University, on behalf of the sponsoring body, as approved by the Governing Body / Board of Management to be an expense for the purposes of the University:Provided that no expenditure shall be incurred by the University in excess of the limits for total recurring expenditure and total non-recurring expenditure for the year, as may be fixed by the Governing Body/Board of Management, without prior approval of the Governing Body / Board of Management.

## **Chapter VIII**

### **Accounts, Audit and Annual Report**

## **28. Annual Report.**

- The Annual Report of the University shall be prepared by the University which shall include among other matters, the steps taken by the University towards the fulfilment of its objects and shall be submitted to the State Government.

## **29. Annual Accounts and Audit.**

(1)The annual accounts including balance sheet of the University shall be prepared by the University and the annual accounts shall be audited at least once in every year by the auditors appointed by the University for this purpose.(2)A copy of the annual accounts together with the audit report shall be submitted to the State Government.

## **Chapter IX**

### **Winding Up of University**

## **30. Management of University on dissolution of Sponsoring Body.**

(1)If the Vardhman Bharti Trust, Wadhwan City, sponsoring body proposes to dissolve itself according to the provisions of law governing its constitution or incorporation, it shall give at least six months prior notice to the State Government.(2)The State Government shall, on receipt of such notice make such arrangements as may be necessary, for the administration of the University from the date of dissolution of the sponsoring body till the completion of syllabus by the last batches of students admitted to the University and may also cause the functioning of the University to continue by appointing an administrator in place of the sponsoring body, who shall be entrusted with the powers, duties and functions of the Sponsoring Body as prescribed under this Statutes or decided by the Governing Body in the interest of the University.

## **31. Dissolution of University.**

(1)The Vardhman Bharti Trust Wadhwan City, District Surendranagar, the sponsoring body of the University who intends to dissolve the University shall give a notice to that effect in the prescribed manner to the State\* Government. The State Government, after due consideration, may dissolve the University in the manner as may be prescribed.Provided that the dissolution of the University shall have effect only after the last batches of students of the regular courses have completed their courses and they have been awarded degrees, diplomas or, as the case may be, awards.(2)On the dissolution of the University, all the assets and liabilities of the University shall vest in the Sponsoring Body in the manner as may be prescribed,(3)Where the State Government decides under sub-section (1) to dissolve the University, it may vest the powers of the Governing Body in the prescribed manner to other societies having similar objects till the dissolution of the University takes effect under the proviso to sub-section (1).

## **32. Special powers of State Government in certain circumstances.**

(1)Where the State Government is of the opinion that the University has contravened any of the provisions of this Statutes made there under or has violated any of the directions issued by it under this Statutes or a situation of financial mismanagement or mal-administration has arisen in the University, it shall issue the notice requiring the University to show cause within forty- five days as to why an administrator be not appointed.(2)On receipt of reply of the University on the notice issued under sub-section (1), if the State Government is satisfied that there is prima facie case of contravention of any of the provisions of this Statutes made there under or violation of directions issued by it under this Statutes or there is financial mismanagement or mal-administration, it shall make an order of such inquiry as it may consider necessary.(3)The State Government shall, for the purposes of any such inquiry under sub-section (2), appoint an inquiry officer or officers to inquire into any of the allegations and to make report thereon.(4)The inquiry officer or officers appointed under sub-section (3)'shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 while trying a suit in respect of the following matters, namely:-(a)Summoning and enforcing the attendance of any person and examining him on oath;(b)Requiring the discovery and production of any such document or any other material as may be predicable in evidence;(c)Requisitioning any public record from any court or office.(5)On receipt of the inquiry report from the officer or officers appointed under sub-section (3), if the State Government is satisfied that the University has contravened all or any of the provisions of this Statutes made there under or has violated any of the directions issued by it under this statutes or a situation of financial mismanagement and maladministration has arisen in the University which threatens the academic standard of the University, it may appoint an administrator.(6)The administrator appointed under sub-section (5) shall exercise all the powers and perform all the duties of the Governing Body and the Board of Management under this Statutes and shall administer the affairs of the University until the last batches of the students of the regular course have completed their courses and they have been awarded with degrees, diplomas or, as the case may be, awards.(7)After having been awarded the degrees, diplomas or, as the case may be, awards to the last batches of the students of the regular course, the administrator shall make a report to that effect to the state Government.(8)On receipt of the report under sub-section (7), the State Government shall dissolve the University and on dissolution of the University, all the assets and liabilities of the University shall vest in the sponsoring body

## **Chapter X**

### **Miscellaneous**

## **33. Power of State Government to make rules.**

(1)The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of these Statutes.(2)In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-(a)the manner of making proposal to establish University and the fees payable;(b)other particulars of the Project Report;(c)other matters of the Statute;(d)arrangements for the administration of the University on

the dissolution of the Sponsoring Body under sub-section (2) of section 31.(3)All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as may be after they are made and shall be subject to rescission by the State Legislature or to such modification as the State Legislature may make during the session in which they are so laid or the session immediately following.

### **34. Completion of courses of students.**

- Notwithstanding anything contained in this statutes, any students of the constituent colleges or institutions of the University specified in the Schedule and affiliated to the University who immediately before the commencement of this Statutes was studying or was eligible for any examination of that University shall be permitted to complete his/her course in preparation therefore, and the University shall provide for the instruction, teaching, training and examination of such students, in accordance with the courses of studies of the respective University in such manner and for such period as may be prescribed.

### **35. Powers to remove difficulties.**

(1)If any difficulty arises in giving effect to the provisions of this Statutes, the State Government may, by order published in the Official Gazette, make provisions not inconsistent with the provisions of this Statutes, as appear to it to be necessary or expedient for removing the difficulty; Provided that no such order shall be made under this section after the expiry of three years from the commencement of this statutes.(2)Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

### **36. Removal of difficulties at the commencement.**

- If any difficulty arises with respect to establishment of the University or in connection with the first meeting of any authority of the University or otherwise in first giving effect to the provisions of this statutes, the President of the University may, at any time, before all authorities of University have been constituted, by order, make any appointment or do anything consistent, so far as may be, with the provisions of this statutes, which appear to him/her necessary or expedient for the purpose of removing the difficulty and every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this statute. Provided that before making any such order, the President may ascertain and consider the opinion of the Provost and of such appropriate authority of the University as may have been constituted.

### **37. Transitory provisions.**

- Notwithstanding anything contained in this Statutes,(1)The Provost may, with the prior approval of the President and subject to availability of funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Statutes and for that purpose may exercise any power or perform any duties which by this Statutes are to be exercised or performed by

any authority of the University until such authority comes into existence as provided by this Statutes;(2)The Board functioning as such immediately before the commencement of this Statutes shall continue to so function until the Board is constituted for the University under this Statutes, but on the constitution of the Board under this Statutes, the Members of the Board holding office before such constitution shall cease to hold office;(3)The Academic Council of the University functioning as such immediately before the commencement of this Statutes shall continue to so function until the Academic Council is constituted for the University under this Statutes, but on the constitutions of the Academic Council under this Statutes, the members of the Academic Council holding office before such constitutions shall cease to hold office;(4)The Finance Committee of the University functioning as such immediately before the commencement of this Statutes shall continue to so function until the Finance Committee is constituted for the University under this Statutes, but on the constitutions of the Finance Committee under this Statutes, the members of the Finance Committee holding office before such constitutions shall cease to hold office;(5)Until the first Regulations of the University are made under this statutes, the existing rules and regulations of the Vardhman Bharti Trust the sponsoring body, as approved by the Board as in force immediately before the commencement of this statutes, shall continue to apply to the University, in so far as they are not inconsistent with provisions of this statutes.

### **38. Indemnity.**

- No suit, prosecution or other legal proceedings shall lie against and no damages shall be claimed from the University, the President the Provost, the authorities or officers of the University or any other person in respect of anything which is done in good faith or purporting to be done in pursuance of this statutes or any Regulation made there under.