

# Venkateshwara Open University Act, 2012

ARUNACHAL PRADESH

India

## Venkateshwara Open University Act, 2012

### Act 10 of 2012

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Venkateshwara Open University Act, 2012(Act No. 10 of 2012)Last Updated 19th February, 2020(Received the assent of the Governor on 15th June, 2012 And Published in the Arunachal Pradesh E.O. Gazette No. 116, Vol-XIX, dated 20th June, 2012)An Act to establish and incorporate a teaching Open University sponsored by Padmawati Educational Trust, 208 A, Saket. Meerut registered under the Indian Trust Act, 1882 (Act No. 2 of 1882) and to provide for matters connected there with or incidental thereto, the Governor of Arunachal Pradesh, in pursuance of the provisions of clause (3) of Article 348 of the Constitution, is pleased to order the publication of the incorporation of the Act of the Venkateshwara Open University, Itanagar, Arunachal Pradesh. Be it enacted by the Legislative Assembly of Arunachal Pradesh in the Sixty-third year of the Republic of India, as follows,-

### 1. Short title and commencement.

(1)This Act may be called the Venkateshwara Open University Act, 2012.(2)It shall come into force on such date as the State Government of Arunachal Pradesh may by notification in the Official Gazette appoint.

### 2. Definitions.

- In this Act, unless the context otherwise requires : (a)"Academic Council" means the Academic Council of the University ; (b)"Distance Education Council" means Distance Education Council of the University ; (c)"Board" means the Board of studies or the Planning Board, or any other Board of the University ; (d)"Chancellor", "Pro-Chancellor", "Vice-Chancellor" and "Pro-Vice-Chancellor" means respectively the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor of the University ; (e)"Court" means the Court of the University ; (f)"Director/Principal" means the Head of an Institution, a College, a Centre and a School; or the person appointed for the purpose to act as such in his absence ; (g)"Department" means a Department of Studies and includes a Centre of Studies and Research. (h)"Employee" means any person appointed by the University. and includes a

teacher or any other member of the staff of the University.(i)"Executive Council" means the Executive Council of the University ;(j)"Existing College" means a college or an institution which imparts professional education and is proposed to be merged, run and maintained by the University ;(k)"Faculty" means a Faculty of the University ;(l)"Hostel" means Scholar Students Hostel of the University ;(m)"Institution/College" means a college including existing college or an Institution established or maintained by or associated or constituent to the University in accordance with this Act and the Statutes.(n)"Prescribed" means prescribed by Statutes ;(o)"Records and Publication" means the Records and Publication of the University ;(p)"Statutes" and "Ordinances" means respectively, the Statutes and the Ordinances of the University for the time being in force ;(q)"Student" means a student enrolled in the register of the University ;(r)"Teacher of the University" means Professors. Associate Professor. Readers. Assistant Professor, Lecturers and such other persons as may be appointed for imparting education/instructions of conducting research in the University and are designated as Teachers by the Ordinances(s)"Treasurer, "Registrar", "Deputy Registrar", "Finance Officer", "Controller of Examinations", "Librarian" or "Proctor" means respectively the Treasurer, the Registrar, the Deputy Registrar, the Finance Officer, the Controller of Examination, the Librarian or the Proctor of the University.(t)"Trust" means Padmawati Educational Trust, 208 A. Saket, Meerut registered under the Indian Trust Act, 1882 (Act No. 2 of 1882) ;(u)"University" means the Venkateshwara Open University. Itanagar. Arunachal Pradesh.

### **3. Establishment of University.**

(1)There shall be established a University by the name of "Venkateshwara Open University";(2)The headquarter of the University shall be at Itanagar and it may establish or maintain colleges, Regional Centres and Study Centres as such in other places in India and outside India as it may deem fit.

### **4. Conditions for the establishment of the University.**

- The University shall comply with the directions and guidelines issued by the State Government of Arunachal Pradesh in this regard for the time being enforce.

### **5. Starting of the University.**

- The University shall come into existence on the date of appointed day in terms of sub-section (2) of section 1, and subject to such terms and conditions as may be stipulated by the State Government by notification published in the Official Gazette under this section.

### **6. Objects of the University.**

- The objects of the University shall be to disseminate and advance knowledge and skill by providing instructional, research and extension of facilities in such branches of learning as it may deem fit and the University shall endeavour to provide to students and teachers the necessary atmosphere and facilities for the promotion of -(a)Innovations in education leading to restructuring of courses, new methods of teaching, training and learning including on-line learning blended learning continuing

education and such other modes and integrated and wholesome development or personality ;(b)Studies in various disciplines ;(c)Inter disciplinary studies ;(d)National integration, secularism social equity and engineering of international understanding and ethics.

## **7. Power of the University.**

- The university shall have the following powers, namely ;(a)to provide for instruction in such branches of learning as the University may, from time to time, determine and to make provisions for research and for the advancement and dissemination of knowledge and skills ;(b)to impart and promote the study of science, engineering and technology, Bio and Medical Sciences, Dental Science, Pharmacy, Management Hotel and Hospitality Management. Law, Nursing and other professional courses and also History, Culture, Commerce. Economics, Humanities, Philosophy, Art etc. through in-campus off-campus offshore-campus and satellite centres or by conducting centres or by distant educational programmes etc.(c)to Honor educational stalwarts and persons of academic eminence with the decoration of professor Emeritus ;(d)to grant, subject to such conditions as the University may determine, diplomas or certificates to, and confer degrees or other academic distinctions on the basis of examinations, evaluation or any other method of testing on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause ;(e)to confer honorary degrees or other distinctions in the manner prescribed(f)to provide education and training including correspondence and such other courses, 'to such persons who are not members of the University, as it may determine ;(g)to institute Directorships. Principalships, Professorships, Associate Professorships, Readership, Assistant Professorships, Lecturer ships and other teaching or academic posts required by the University and to make appointments for the same ;(h)to create administrative, ministerial and other posts and to make appointments thereto ;(i)to appoint, engage persons of eminence working in any other University or Organizations permanently or for a specified period ;(j)to co-operate, collaborate or associate with any other University or Authority or Institution' in India and abroad in such manner and for such purpose as the University may determine ;(k)to establish and maintain schools, centres, specialized laboratories or others unit for research and instructions as are in the opinion of the University, necessary for the furtherance of its objects.(l)to institute and award fellowships, scholarships. studentships, medals and prizes ;(m)to establish and maintain and supervise residences. hostels within the University and promote the health and general welfare activities for students and staff ;(n)to make provisions for research and consultancy and for this purpose to enter into such arrangements with other institutions or bodies as the University may deem necessary ;(o)to declare centre, and institution, a department. or school, as the case may be, in accordance with the Statutes ;(p)to determine standards for admissions into the University, which may include examination, evaluation or any other method of testing ;(q)to demand and receive payment of fees and other charges ;(r)to make special arrangement in respect of women and other disadvantaged students as the University may consider desirable.(s)to regulate and enforce discipline among the employees and students of the University and take such disciplinary measures in this regards as may be deemed necessary by the University.(t)to make arrangements for promoting the health and general welfare of the employees of the University ;(u)to receive donations and to acquire, hold, manage and dispose of any property. movable or immovable for the welfare of the University.(v)to borrow. mortgage or hypothecate with the approval of the Trust on the security of the property of

the University, money for the purposes of the University.(w)to appoint either on contract or otherwise visiting professors, emeritus professors, consultants, fellows, scholars, artists, course writers and such other persons who may contribute to the advancement of the objects of the University.(x)to organize and to undertake extra-mural studies and extension service.(y)to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.(z)degrees, diploma, certificates awarded to in-campus and study centres students will be considered at par with that of degrees. diploma certificates awarded to the students studies as full time regular students of the University.

## **8. Admissions and Standards.**

(1)Admission to the different academic programmes shall be made or conducive with the laws for the time being in force.(2)The University shall ensure that the academic standards of the courses offered by the University are in accordance with the guidelines of the University Grants Commission and the statutory bodies as the case may be The teacher-students ratio shall be in accordance with the guidelines of the University Grants Commission and specific council.

## **9. University opens to all classes and creeds.**

- The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any persons any test whatsoever of religious belief profession in order to entitle him to the admitted therein as an officer, a teacher, staff member, student or to hold any offer therein or to graduate thereat ;Provided that reservation in the posts and recruitment of the employees and reservation of seats for admission in any course of study in the University for the students belonging to the Scheduled Caste, Scheduled Tribes and other Backward Classes of citizens shall be regulated by the order of the State Government issued from time to time.

## **10. Officers of the University.**

- The following shall be the officers of the University :(a)the Chancellor(b)the Pro-Chancellor :(c)the Vice-Chancellor ;(d)the Pro-Vice-Chancellor ;(e)Director/ Principal ;(f)the Registrar ;(g)the Controller of Examinations ;(h)the Dean of Students Welfare ;(i)the Dean of Faculty ;(j)the Chief Proctor ;(k)the Treasurer ;(l)the Finance Officer ; and(m)such other officers as may be declared by the Statute to be officers of the University.

## **11. The Chancellor.**

(1)The Chancellor shall be appointed by the Trust for a period of three years.(2)The Chancellor shall by virtue of his office, be the Head of the University and shall constitute interim Executive Council.(3)The Chancellor may in writing under his hand addressed to the Trust resign his office.

## **12. The Pro-Chancellor.**

(1)The Pro-Chancellor shall be appointed by the Trust for a period of three years.(2)The Pro-Chancellor shall assist the Chancellor in discharging his duties and preside at the convocation in his absence.(3)The Pro-Chancellor may in writing under his hand addressed to the Chancellor resign his office.

## **13. The Vice-Chancellor.**

(1)The Vice-Chancellor shall be appointed by the Chancellor in such manner as may be prescribed, for a period of three years.(2)The Vice-Chancellor shall be the principal executive and academic officer of the University and shall be the Chairman of the Academic Council and Planning Board of the University; and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of the authorities of the University.(3)The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall convey to such authority the action taken by him on such matters.Provided that if the authority of the University or any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section may prefer an appeal to the Chancellor within one month from the date of communication of such decision. The Chancellor may confirm modify or reverse action taken by the Vice-Chancellor.(4)The Vice-Chancellor shall exercise such powers and perform such other functions as may be prescribed.

## **14. The Pro-Vice-Chancellor.**

(1)The Pro-Vice-Chancellor shall be appointed by the Vice-Chancellor in such manner and shall exercise such powers and perform such functions as may be prescribed.(2)The Pro-Vice-Chancellor appointed under sub-section (1) shall discharge his duties in addition to his duties as a professor.(3)The Pro-Vice-Chancellor shall assist the Vice-Chancellor in discharging his duties as and when required by the Vice-Chancellor.(4)The Pro-Vice-Chancellor shall get honorarium of such amount as may be determined by the Trust.

## **15. Director(s)/Principal(s).**

- The Director/Principal shall be appointed in such manner and shall exercise such powers and perform such functions as may be prescribed.

## **16. The Registrar.**

(1)The Registrar shall be appointed in such manner as may be prescribed.(2)The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other power and perform such other functions as may be prescribed.(3)The Registrar shall be the ex-officio Secretary of the Executive Council and the

Academic Council.

## **17. Dean of Faculty.**

- Every Dean shall be appointed in such manner and shall exercise powers and perform such functions as may be prescribed.

## **18. The Treasurer.**

- The Treasurer shall be appointed in such manner and shall exercise powers and perform such functions as may be prescribed.

## **19. Finance Officer.**

(1)The Finance Officer shall be appointed in such manner and shall exercise powers and perform such functions as may be prescribed.(2)The Finance Officer shall be the ex-officio Secretary of the Finance Committee.

## **20. Other Officer.**

- Manner of appointment and power and duties of the other officers of the University including the Dean of Students Welfare, Controller of Examinations and Chief Proctor shall be such as may be prescribed.

## **21. Authorities of the University.**

- The following shall be the authorities of the University :(a)the Court ;(b)the Executive Council ;(c)the Academic Council ;(d)the Distance Education Council;(e)the Finance Committee ;(f)the Planning Board ;(g)the Board of Faculties ;(h)the Admissions Committee ;(i)the Examination Committee ; and(j)such other authorities as may be declared by the "Statutes" to the authorities of the University.

## **22. The Court.**

(1)The Constitution of the Court and the terms of office of its members shall be such as may be prescribed.(2)Subject to the provisions of this Act the Court shall have the following power and functions, namely: -(a)to review from time to time, the broad policies and programmes of the University and suggest measures for the working, improvement and development of the University.(b)to consider and pass resolutions on the Annual Report and Annual Accounts of the University and Audit Report of such accounts.(c)to advise the Chancellor in respect of any matter which may be referred to it for advice.(d)to perform such other functions as may be prescribed.

### **23. The Executive Council.**

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

### **24. The Academic Council.**

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

### **25. The Distance Education Council.**

(1)The Distance Education Council shall be the principal academic body of the University to determine of the courses, procedures for distance education.(2)The Constitution of the Distance Education Council the term of office of its members and its powers and functions shall be such as may be prescribed.

### **26. The Finance Committee.**

(1)The Finance Committee shall be the principal financial body of the University to take care of the finance matters.(2)The constitution powers and functions of the Finance Committee shall be such as may be prescribed.

### **27. The Planning Board.**

(1)The Planning Board shall be the principal Planning body of the University. The Board shall ensure that the infrastructure and academic support system meets the norms of the University Grants Commission or the respective Councils.(2)The constitution of the planning board, term of office of its members and its power and functions shall be such as may be prescribed.

### **28. Board of Faculty, Admission Committee, Examination Committee and other authorities of the University.**

- The constitution, powers and functions of the Boards of faculties, the Admission Committee, Examination Committee and other authorities of the University, shall be such as may be prescribed.

### **29. Power to make Statutes.**

(1)The Executive Council shall make the statutes for carrying out purposes of this Act.(2)Subject to the provisions of this Act the Statutes may provide for all or any of the following matters, namely

-(a)the constitution powers and functions of the authorities of the University, as may be constituted from time to time ;(b)the appointment and continuance in office of the members of the said authorities, filling of vacancies of members and all other matters relating to those authorities for which it may be necessary to provide;(c)the appointment, powers and duties of the officers of the University and their emoluments ;(d)the appointment of teachers of the University and other academic and administrative staff and their emoluments ;(e)the appointment of teachers and other academic and administrative staff working in the University or Institution for specific period for undertaking a joint project;(f)the conditions of service of employees including provisions for retirement benefits, insurance and provident fund, the manner of termination of service and disciplinary actions;(g)the principals governing seniority of service of employees;(h)the procedure for settlement of disputes between employees or students and the University ;(i)the procedure for appeal to the Executive Council by an employee or student against the action of any officer or other authority of the University ;(j)the conferment of honorary degrees;(k)the withdrawal of degree, diploma, certificate and other academic distinction ;(l)the institution of fellowships, scholarships, studentships and medals and prizes;(m)the maintenance of discipline among the students;(n)the establishment and abolition of Department, Centres and other constituted institutions/Colleges etc ;(o)the delegation of powers vested in the authorities or officers of the University ; and(p)all other matters, which may be this Act are to be or may be prescribed.(3)The Executive Council shall not make, amend or repeal any Statute affecting the powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council.(4)Notwithstanding anything contained in the foregoing sub-sections the Chancellor may direct the University to make provisions in the Statutes, in respect of any matter specified by him and, if the Executive Council is unable to implement such action within sixty days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the Executive Council for its inability to comply with such direction, make or amend the Statutes accordingly as he may deem fit.

### **30. Power to make Ordinances.**

- Subject to the provision of this Act and the Statutes, the Ordinances shall be made by the Executive Council which may provide for all or any of the following matters, namely :-(a)the admission of students to the University and their enrolment as such(b)the courses of study to be laid down for all degrees. diplomas and certificates of the University;(c)the medium of instruction and examination ;(d)the award of degree, diploma, certificate and other academic distinction. the qualification for the same and the means to be taken relating to the granting and obtaining of the same.(e)the fees to be charged for courses of study in the University and for admission to the examinations, degree; diplomas and certificates of the University ;(f)the conditions for the award of fellowships, scholarships, studentships, medals and prizes ;(g)the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators.(h)the conditions of residence of the students of the University(i)the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and prescribing of special courses of studies for them within the University ;(j)the appointment and emoluments of employees other than those for whom provision has been made in



the Statutes ;(k)the establishment of Centre of Studies, Boards of Studies, interdisciplinary Studies, Special Centres, Specialised Laboratories and other Committees(l)the manner of co-operation and collaborations with other Universities and authorities including learned bodies and association ;(m)the creation, composition and functions of any other body which is considered necessary for improving the academic mileage of the University ;(n)the remuneration to be paid to the examiners, moderators, invigilators and tabulators.(o)such other terms and conditions of service of teachers and other academic staff as are not prescribed by the Statutes.

### **31. Annual Report.**

(1)The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or after such date as may be prescribed and the Court shall consider the report in its annual meeting.(2)The Court shall submit the annual report to the Chancellor along with its comment, if any.

### **32. Annual Accounts.**

(1)The annual accounts and balance sheets of the University shall be prepared under the direction of the Executive Council and shall, once at least every year and at intervals of not more than fifteen months. be audited by an experienced and qualified firm of Chartered Accountant of repute.(2)A copy of the annual accounts, together with the audit report thereon, shall be submitted to the Court and the Chancellor along with the observations of the Executive Council.

### **33. Conditions of Service of employees.**

(1)Every employee of the University shall be appointed engaged as per provisions of the Statutes.(2)Any dispute arising between the University and any of the employees appointed substantively, shall be referred to the Executive Council who shall decide the dispute after affording an opportunity to the employee within three months from the date of its reference.(3)The aggrieved employee may file an appeal against the order of the Executive Council to the Chancellor.(4)Any dispute in respect of any employee engaged temporarily or on ad-hoc or part time or casual basis shall be heard and decided finally by the head of the concerned department.(5)Any person aggrieved by the order of the Vice-Chancellor may prefer an appeal to the Chancellor. The decision of the Chancellor in such an appeal shall be final and no suit shall lie in any court in respect of the matters decided by the Chancellor.

### **34. Right to Appeal.**

(1)Any student or candidate for an examination, whose name has been removed from the rolls of the University by the orders or resolutions of the Academic Council, Proctorial Board or Controller of Examinations as the case may be, and who has been debarred from appearing at the examinations for more than one year, may within ten days of the date of receipt of such order or copy of such resolution by him in writing appeal to the Vice-Chancellor to reverse the decision of the aforesaid

authorities or the concerned committee. as the case may be.(2)Any decision taken by the Vice-Chancellor shall be final.

### **35. Employees Provident Fund and pension.**

- The University may constitute for the benefit of its employees such pensioner welfare schemes or provident fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be decided by the Executive Council.

### **36. Disputes as to the constitution of Authorities and bodies.**

- If any question arises as to whether any person has been duly nominated or appointed as or is entitled to be member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

### **37. Constitution of committees.**

- Where any authority of the University is given power under this Act or the Statutes to appoint Committees; such Committees shall as otherwise provided, consist of the members of the authority concerned and of such other persons as the authority in each case may think fit.

### **38. Fillings of the Vacancies .**

- All vacancies among the members (other than ex-officio member) of any authority or other body of the University shall be filled as soon as may be convenient by the person or body who appointed, nominated or co-opted the members whose place has become vacant for the remaining term for which he has been appointed or co-opted

### **39. invalidity of proceeding.**

- No act or proceeding of any authority of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its member.

### **40. Mode of proof of University records.**

- A copy of any receipt, application notice, proceeding, resolution of any authority or Committee of the University or other documents in possession of the University, if certified by the Registrar shall be received as prima-facie evidence of the such receipt, applications, notice, order, proceeding or resolution, documents or the existence of entry in the register and shall be admitted as evidence of the matters and transaction therein where the original would, if produced have been admissible in evidence.

#### **41. Publication of statutes and ordinances.**

(1)Every Statute or Ordinance made under this Act shall be made available in writing.(2)Each new Statute or Ordinance made under this Act shall be enforced as soon as it is made by the competent authority.

#### **42. Endowment Fund.**

(1)The sponsoring body shall establish an Endowment Fund for the University with an amount of three crores rupees which shall be pledged to the Government.(2)The Endowment Fund shall be kept as security deposit to ensure strict compliance of the provisions of this Act, rules, regulations, statutes or ordinances made thereunder.(3)The Government shall have the power to forfeit, in the prescribed manner, a part or whole of the Endowment Fund in case the University or the sponsoring body contravenes any of the provisions of this Act, rules, statutes, ordinances or regulations made thereunder.(4)Income from Endowment Fund shall be utilized for the development of infrastructure of the University but shall not be utilized to meet out the recurring expenditure of the University.(5)The amount of Endowment Fund shall be kept invested, until the dissolution of the University, by way of Fixed Deposit Accounts in any Scheduled Bank subject to the condition that this fund shall not be withdrawn without the permission of the Government.

#### **43. General Fund .**

(1)The University shall establish a general fund to which the following amount shall be credited, namely(a)all fees which may be charged by the University ;(b)all sums received from any other sources ;(c)all contributions made by the Trust and(d)all contributions made in this behalf by any other person or body which are not prohibited by any law for the time being in force.(2)The moneys credited to the general fund shall be applied to meet all the recurring expenditures of the University.

#### **44. Development Fund.**

(1)The University shall also establish development fund to which the following money shall be credited, namely :-(a)development fees, which may be charged from students(b)all sums received from other sources for the purpose of the development of the University ;(c)all contributions made by the Trust ;(d)all contributions made in this behalf by any other person or body which are not prohibited by any law for the time being enforce and(e)all incomes received from the permanent endowment fund.(2)The money credited to the development fund from time to time shall be utilized for the development of the University.

#### **45. Maintenance of Fund.**

- The funds establish under sections 42, 43 and 44 shall subject to general supervision and control of the Court which would be regulated and maintained in such manner as may be prescribed.

## **46. Financial Condition.**

- The University shall not be eligible for any grant in aid or any, financial assistance from the State Government or any other body or Corporation owned and controlled by the State Government.

## **47. Fees.**

- The fees charged for different academic programmes shall be in accordance with laws for the time being in force.

## **48. Power of State Government to call the information and records.**

(1)It shall be the duty of the University or any authority or officer of the University to furnish such information or records relating to the administrative or finance and other affairs of the University as the State Government may call for.(2)The State Government, if it is of the view that there is a violation of the Act or the Statutes or Ordinance made hereunder may issue such directions to the University under section 51 as it may deem necessary.

## **49. Dissolution of University.**

(1)If the University proposes its dissolution in accordance with the law governing its constitutions or incorporation, it shall give at least six months written notice to the State Government.(2)On receipt of notice referred to in sub-section (1) the State Government shall make such arrangement for administration of the University from the date of dissolution of the University and until the last batch of students in regular courses of studies of the University complete their courses or studies in such manner as may be prescribed.

## **50. Expenditure of the University during dissolution.**

(1)The expenditure for administration of the University during the taking over the liabilities of the University under section 49 shall be met out of the permanent endowment, the general fund, and the development fund.(2)If the funds referred to sub-section (1) are not sufficient to meet the expenditure of the University during the taking over the liabilities of the University such expenditure may be met by disposing of the properties or assets of the University by the State Government.

## **51. De-recognition of the University by the State Government.**

(1)Where the State Government receives a complaint that the University is not functioning in accordance with the provisions of this Act, it shall require the University to show cause within such time, which shall not be less than two months referring a copy of the complaint as to why the University should not be derecognized.(2)If upon receipt of the reply of the University to the notice given under sub-section (1) the State Government is satisfied that a prima-facie case of

mismanagement or violation of the provisions of this Act in the functioning of the University is made out, it shall order such enquiry as it deem necessary.(3)For the purpose of an inquiry under sub-section (2). the State Government shall by notification, appoint an officer or authority as the enquiring authority to enquire into the allegations of violation of the provision of this Act.(4)Every enquiring authority appoint under sub-section (3) shall while performing its functions under this Act have all the powers of Civil Court under the code of Civil Procedure, 1908 trying a suit and in particulars in respect of the following matters, namely :-(a)summoning and enforcing the attendance of any witness and examining him on oath;(b)requiring the discovery and production of any document ;(c)requisitioning any public record or copy thereof from any office(d)receiving evidence on affidavits ;(e)any other matter which may be prescribed.(5)if upon receipt of the inquiry report, the State Government is satisfied that the University has violated any provision of this Act, it shall direct the University to make necessary improvement and suggest for proper implementation of the provision of this Act.(6)If it is observed that the University is violating the Act continuously for three times the State Government may derecognize the University with prior approval of the University Grants Commission.(7)During the period of the management of the University under sub-section (6), the State Government may utilize the permanent endowment fund, the general funds or the development fund the purpose of the Management of the affairs of the University. If the funds of the University are not sufficient to meet the requisite expenditure of the University, the State Government may dispose of the assets or the properties of the University to meet the said expenses.(8)Every notification under sub-section (6) shall be laid before house(s) of the State Legislature before implementation.

## **52. Power of the State Government to issue directions on policy matters.**

- The State Government may issue such directions from time to time to the University on policy matters not inconsistent with the provisions of this Act as it may deem necessary. Such directions shall be complied with by the University.

## **53. Status of Assets/Liabilities on Dissolution/De-recognition.**

- All assets and properties including permanent endowment fund, general fund or any other fund and also the liabilities of the University will belong to the Trust in case of dissolution of the University under any clause mentioned herein above in the Act.

## **54. Power to remove difficulties.**

(1)The State Government may for the purposes of removing any difficulties, particularly in relation to the transition from the provisions of the Arunachal Pradesh Universities Act, to the provisions of this Act, direct that the provisions of this Act shall during such period as may be specified in the order, have effect subject to such adaptations. whether by way of modifications, addition or omission as it may deem necessary or expedient ;Provided that no such order shall be made after two years from the date of commencement of this Act.(2)Every order made under sub-section (1) shall be laid before house(s) of the State Legislature as soon as may be after it is made.(3)No order made under sub-section (1) shall be called in question in any court on the ground that no difficulty

as is referred to in that sub-section existed or was required to be removed.

## **55. Powers to make rules.**

(1)The Competent Authority of the University may make rules for all or any of the provisions of this Act, as may be deemed expedient, to carry out the provisions of the Act.(2)All rules made under this Act shall be laid before the Legislative assembly as soon as it made.

## **56. Savings.**

- Notwithstanding anything contained in this Act, all rules, orders, notifications, scheme, bye-laws, regulation, circular, office memoranda issued by the State Government in pursuance of the Arunachal Pradesh and other Institutions of Higher Education (Establishment and Regulations) Act, 2010 (No. 6 of 2010) shall mutatis mutandis apply to the University until the same is superseded by the State Government.