



सत्यमेव जयते

©

# The Gujarat Government Gazette

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

Vol. LIII]

MONDAY, JULY 2, 2012/ASADHA 11, 1934

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

#### PART IV-B

Rules and Orders (Other than those published in Part I, I-A and I-L) made  
by the Government of Gujarat under the Gujarat Acts.

#### EDUCATION DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 25<sup>th</sup> June, 2012.

#### GUJARAT PRIVATE UNIVERSITIES ACT, 2009.

No.GH/SH/29/FSU/2012/51/kh-1 :- In exercise of the powers conferred by the Section 26 of the Gujarat Private Universities Act, 2009, (Guj. Act No. 8 of 2009). the Government of Gujarat hereby approves the first statute of The Navrachana University, Vadodara as proposed by the Governing Body of the university in its meeting held on 16-4-2011.

By order and in the name of the Governor of Gujarat,

**M.H. KHUMAR,**

Under Secretary to Government.



## FIRST STATUTES OF NAVRACHANA UNIVERSITY

Made under various sections of the

Gujarat Private Universities Act, 2009 (Act No 8 of 2009)

These Statutes may be called the "First Statutes of the Navrachana University". They shall come into force on the date of which these are approved by the Government of Gujarat.

### 1. DEFINITIONS

In these statutes, unless the context otherwise requires:-

- a) "Academic Advisory Board" means Academic Advisory Board of Schools/Institutes/Centers of Navrachana University;
- b) "Academic Advisory Committee" means Academic Advisory Committee of the Programmes of the Navrachana University;
- c) "Academic Council" means the Academic Council of the University constituted under section 22 of the Act;
- d) "Act" means Gujarat Private Universities Act, 2009;
- e) "Board of Governors" means the Governing Body of the University constituted under section 20 of the Act;
- f) "Chairperson" means Chairperson of a Board, Council or Committee of Navrachana University as per the context in which the term appears;
- g) "Chief Finance and Accounts Officer" means the Chief Finance and Accounts Officer of the University appointed under Section 17 of the Act;
- h) "Constituent Colleges" means constituent colleges established by Navrachana University;
- i) "Employee" means employee appointed on regular /contractual /ad hoc basis;
- j) "Faculty" means faculty of Navrachana University;
- k) "Government" means the Government of the State of Gujarat;
- l) "Institutes/Schools/Centres" means Institutes, Schools and centres established by Navrachana University;
- m) "President" means the President of the University appointed under section 14 of the Act;
- n) "Programmes" means programmes and courses of study offered at Navrachana University;
- o) "Provost" means the Provost of the University appointed under Section 15 of the Act;
- p) "Registrar" means Registrar of the University appointed under section 16 of the Act;
- q) "Society" means Navrachana Education Society, Vadodara registered under the Societies Registration Act, 1860;
- r) "Sponsoring Body" means the Navrachana Education Society, Vadodara, Gujarat;
- s) "Statutes, Ordinances and Regulations" means, respectively, the Statutes, Ordinances or regulations of Navrachana University;
- t) "The Board" means Board of Management of the University constituted under section 21 of the Act;
- u) "University" means The Navrachana University, Vadodara;

In these definitions, words denoting the singular number shall include the plural and vice versa.

## 2. Powers and Functions of the Governing Body Under Section 20 (1) (2) (3) & (4)

- (i) The Governing Body of the Navrachana shall be called as the 'Board of Governors'.
- (ii) The constitution of the Board of Governors shall be in accordance with the Act.
- (iii) The terms and conditions of the appointment of members of the Board of Governors will be as prescribed by the Act.
- (iv) The powers of the Board of Governors will be as laid down in the Act and Statutes.
- (v) The meeting of the Board of Governors and the quorum for the same will be as per the Act.

## 3. Powers and Functions of the Board of Management Under Section 21(3)

Subject to the provision of the Act, the Board of Management shall exercise and perform the following powers and functions namely.

- (i) To make investments and withdrawals of the funds of the University, to invest any money belonging to the University, including any unapplied income, in such stocks, funds, shares, advances or securities, from time to time as it may think fit or in the construction and or purchase, sale and or take or give on lease immovable property, moveable property, intellectual property, goodwill, trademarks, rights, and such other tangible and intangible properties, and to pay or receive royalties, fees towards consultancies and or collaborations with organizations, institutions and educational institutions.
- (ii) To borrow money and make suitable arrangement for its repayment.
- (iii) To generate income and resources create endowment funds through various sources including fees and other charges as per Ordinances formulated from time to time.
- (iv) To accept on behalf of the University requisites, donation and transfer any movable or immovable properties to the University.
- (v) To provide for accepting, clearing, holding and disposal of the properties on behalf of the University.
- (vi) To provide, establish, manage and maintain buildings, centres, hostels, libraries, laboratories, research institutions, equipment and other facilities necessary for furtherance of the objects of the University.
- (vii) To provide for the administration of any matter placed at the disposal of the University for the purpose as intended and to make regulations thereof.
- (viii) To consider, review and recommend and approve Ordinances or Regulations submitted by different Committees and Councils of the University subject to the provision of Act, Statutes, Ordinances, Regulations and other provisions.
- (ix) The Board may appoint Committees to carry out its administrative work and define their constitution, functions and tenures.
- (x) To consider, review and approve the Ordinances other than the first Ordinances as recommended by the Academic Council.
- (xi) The Board may delegate some of its powers to Officers or Committees constituted by it for smooth administration of the University.
- (xii) To make recommendations relating to the policies to be followed by the University to the Board of Governors.
- (xiii) The Board shall also make recommendations to the Board of Governors, in any of the matters which are required to be dealt with for the purpose of fulfilling the objects of the University.

- (xiv) To prepare and submit the annual accounts and annual report of the University to the Board of Governors for its approval.
- (xv) To consider, review and recommend financial requirements and estimates of the University to the Board of Governors for its approval.
- (xvi) To consider, review and approve the creation of posts for different categories of employees.
- (xvii) To frame Statutes of the University other than the First Statutes and submit the same for the approval of the Board of Governors.
- (xviii) To make provision for instituting and conferring degrees, honorary degrees, diplomas, certificates and other academic distinctions.
- (xix) To consider, review and make provision for instruction, teaching and training in such branches of learning and course of study as may be recommended by the Academic Council, on suggestion of Schools, Centres, Academic Advisory Boards, Academic Advisory Committees of programmes within the purpose of this Act and for the advancement of research and dissemination of knowledge.
- (xx) To consider, review and approve proposals for promoting under-graduate, post graduate, teaching, research and extension of education on the recommendations of Academic Council, Schools, Centres, Academic Advisory Boards, Academic Advisory Committees of Programmes.
- (xxi) To institute, maintain, and award scholarships, fellowships, studentship, medals and prizes.
- (xxii) To draft and formulate appropriate Manuals to govern the various service conditions of officers and other employees of the University and for day to day running and administering of the affairs of the University. This will encompass the nominating of committees for the drafting and updating of the Manuals from time to time.
- (xxiii) To exercise such other powers and perform such other duties not inconsistent with this Act or Statutes as may be necessary for carrying out for the purpose of the Act and as delegated by the Board of Governors.

#### 4. Powers and Functions of the Academic Council Under Section 22(1) (2) (3)

(i) The constitution of the Academic Council of the University shall have the following members:

- a) The Provost (Chairperson)
- b) Two Eminent Academicians or Professionals to be nominated by the Board of Management.
- c) Two external Academicians or Professionals to be nominated by the Provost.
- d) The Directors/ Deans / Heads of Schools/Institutions/Centers.
- e) Five Professors from different disciplines of the University by rotation to be nominated by the Provost.
- f) Notwithstanding anything stated above, the Provost may invite other persons for the meeting of the Council as per requirements.
- g) The Registrar shall be the Member Secretary: —

- (ii) The term of office of the members of the Academic Council other than the ex-officio members shall be three years.
- (iii) The Academic Council shall meet at least once in a calendar year and a minimum of five members shall form the quorum for a meeting of the Council. In case the Chairperson is not available, the meeting shall be presided over as decided by the members present.
- (iv) Subject to the provision of the Act and the Statutes, the Academic Council of the University shall have the following powers.

- a) To exercise control and general regulation over the academic policies of the University and be responsible for the maintenance and improvement of standards of instruction, education and evaluation in the University.
- b) To consider matters of general academic Interest either on its own initiative or on a reference from the School/Centres/Programme/Faculty of the University and / or the Board of Management and to take appropriate action thereon.
- c) To prescribe courses, curricula and methodologies including electronic and distance learning and provide for flexibility in the delivery of education, either on its own initiative or on the recommendations of Schools, Centres, Academic Advisory Board and Academic Advisory Committees of Programmes.
- d) To advise on all academic matters and feasibility of academic Programmes
- e) To recommend to the Board of Management such Ordinances as are consistent with the Act regarding the academic functioning of the University including discipline of students.

**(v) Make recommendations to the Board of Management:**

- a) To 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 as prescribed by the Ordinances / Regulations.
- b) To establish schools, centres, institutes, colleges and conduct programmes and courses of study as are in the opinion of the University, necessary for the furtherance of its objects.
- c) To declare as a constituent college, centre or institution imparting education or conducting research as in the opinion of the University necessary for the furtherance of its objects or to establish a new constituent college, centre or institution for the purpose.
- d) To provide policy for printing/publication and reproduction of research, educational material and other works and to organize exhibitions, conferences, workshops and seminars.
- e) To establish knowledge resource centre, libraries, laboratories and museums, computer networks, ICT facilities, hobby centres, workshops and other facilities.
- f) To formulate policies for sponsoring and undertaking research and educational programmes in the field of Science, Applied Science, Engineering and Technology, Humanities, Social Sciences, Education, Management, Commerce, Law, Pharmacy, and any other or allied areas.
- g) To collaborate or associate with Industry, business, NGO or Government for the furtherance of the objectives of the University.
- h) 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.
- i) To delineate policies for research and consultancy and to obtain registration in respect of such research in the nature of patents, design rights, copy rights and such or similar rights with the competent authorities.
- j) To institute, make regulations and award fellowships, scholarships, prizes, medals and other awards.
- k) To generally advise on all academic matters and submit to the Board of Management the details of the academic calendar and feasibility reports on academic programmes.
- l) To exercise such other powers and perform such other functions as may be delegated by the Board of Governors/ Board of Management.

**5. Terms and conditions of service, powers and functions for the post of Provost of the University Under Section 26 (1) (b)**

**(i) Terms and conditions of service**

- a) The procedure of appointment will be followed as per section 15 (1) of the Gujarat Private University Act, 2009.
- b) The President shall constitute the Search Committee at least three months in advance and shall designate one of the members as the Chairperson of the Committee.
- c) The pay scale of the Provost will not be less than UGC norms for Vice-Chancellor.
- d) Service conditions will be as per The Manual (Para 3 xxii)

**(ii) Powers and Functions**

- a) The Provost shall be the Principal Executive and Academic Officer of the University.
- b) She/he shall exercise powers and perform such duties as prescribed under section 15 (2) (3) and (4) of the Gujarat Private Universities Act No 8 of (2009).
- c) To consider, review and appoint Faculty and other employees on the recommendation of the duly constituted Selection Committee. To appoint adhoc, temporary and visiting faculty and other staff as per laid down norms.

**6. The manner of appointment and terms and conditions of appointment of the Registrar and his powers and function Under Section 26 (1) (c)**

**(i) The manner and terms and conditions of Appointment of Registrar.**

- a) The post may be filled either by direct selection or by obtaining services on deputation from any organisation or in case of an eminent person by invitation from the Chairperson of the Sponsoring Body.
- b) If the post is advertised, the applications of the eligible candidates shall be placed before the Selection Committee, as constituted by the Chairperson of the Sponsoring Body.

**(ii) The Selection Committee shall normally consist of:**

- a) The Provost as Chairperson.
- b) One expert in the field to be nominated by the Provost.
- c) One nominee of the President.
- d) One member of the Board of Management to be nominated by the Chairperson of the Board of Management.
- e) One nominee of the Chairperson of the Sponsoring Body.

**(iii) The qualification, pay scale and other emoluments attached to the post shall not be less than the norms prescribed by the UGC from time to time.**

**(iv) Service conditions will be as per The Manual ( Para 3 xxii)**

**(v) Powers and Functions of the Registrar**

- a) All contracts shall be signed and all documents and records shall be authenticated by the Registrar.
- b) She/he shall be responsible for the custody of records, common seal of the University and such other properties of the University.
- c) She/he shall also be responsible for the safety and upkeep of movable and immovable properties of the University.

- d) She/he shall be the custodian of the "master passwords" of the University's computerized systems.
  - e) The Registrar shall be Member-Secretary of the Board of Governors, Board of Management, and Academic Council, but shall not have power to vote.
  - f) She/he shall submit statutory returns to concerned authorities as required by law.
  - g) She/he shall attest and execute all documents on behalf of the University.
  - h) She/he shall be responsible for conduct of all legal matters and proceedings on behalf of the University.
  - i) She/he shall place before the Board of Management and other authorities of the University, all such information as may be necessary for transaction of its business.
  - j) She/he shall be responsible to the Provost for the proper discharge of his functions and maintenance of discipline in the University.
  - k) She/he shall, subject to the control of the Provost, be responsible for the administration and services of the University and conduct the examinations and make all other arrangements necessary thereof and be responsible for the execution of all processes connected therewith.
  - l) She/he shall exercise such other powers and perform such other duties as may be assigned to him under the Act, Statutes, Ordinances or Regulations or as may be delegated to him by the President, Board of Management or the Provost.
- (vi) Chairperson of the sponsoring body shall be the competent authority vested with the rights of taking any decision concerning the termination of the Registrar, duly following the principles of natural justice.

**7. Manner of appointment, terms and conditions of appointment and powers and functions of the Chief Finance and Accounts Officer. Under Section 26 (1) (c)**

- (i) Manner and terms and conditions of Appointment of the Chief Finance and Accounts Officer.
  - a) The Chief Finance and Accounts Officer shall be appointed by the President the University
  - b) The post may be filled if necessary either by delegation, direct selection or by obtaining services on deputation from any organisation or in case of an eminent person by invitation from the President. If the post is advertised, the applications of the eligible candidates shall be placed before the Selection Committee, as constituted by the President.
  - c) Service conditions will be as per The Manual ( Para 3 xxii
- (iii) The Chief Finance and Accounts Officer shall be appointed by the President following the similar process as prescribed for the post of Registrar.
- (iv) The Chief Finance and Accounts Officer shall be the principal Finance Officer of the University.
- (v) Powers and Functions of Chief Finance and Accounts Officer
  - a) The Chief Finance and Accounts Officer will take part, whenever invited, in the proceedings of the meetings of Board of management and Board of Governors but shall not be entitled to vote.
  - b) She/he will ensure proper implementation of the finance related decisions taken by the Board of management.
  - c) The Chief Finance and Accounts Officer shall be responsible for presenting the annual budget, statement of accounts and audit reports, to the Board of Management and Board of Governors.
- (vi) The duties of Chief Finance and Accounts Officer shall be to:

- a) Exercise general supervision over the funds of the University and advise the Provost, Board of Management, and President as regards the finance of the University.
- b) Hold and manage the general funds and investments for furthering any of the objects of the University.
- c) Ensure that the limits fixed by the University for recurring and non-recurring expenditure for a year are not exceeded, and that all allocations are expended for the purposes for which they are granted or allotted.
- d) Keep track of and be responsible for the investments, cash and bank balances.
- e) She/he shall be responsible for the progress of collection of revenue and advise the President and Board of Management through the Provost on the methods to be employed for collection.
- f) Ensure proper maintenance of books of accounts and other records, including a proper system of internal checks and prepare an annual statement of accounts, including the income and expenditure accounts and the balance sheet.
- g) Have the accounts of the University audited regularly by a chartered accountant duly appointed by the Board of Management.
- h) Ensure that the records of buildings, land, equipment and machinery are maintained in order and that the stock taking of equipment's and other consumable materials in all offices, schools, colleges, institutions, centres, programmes, workshops and stores of the University is conducted regularly and report the same to the Registrar with a copy to the Provost.
- i) Call from any office, school, institutions, colleges, centres, laboratory or department/programmes of the University, any information and returns that she/he thinks necessary for the proper discharge of his financial responsibilities.
- j) Exercise and comply with such other powers, perform such other duties and discharge such other financial functions and duties and also comply with Statutory requirements as may be assigned to him under the Act, Statutes, Ordinances and Regulations of the University, or as may be delegated to him by statutory requirements, the Provost, Board of Management and the President from time to time.

(vi) The President shall be the competent authority vested with the rights of taking any decision concerning the termination of the Chief Finance and Accounts Officer, duly following the principles of natural justice.

**8. Procedures for appointment of Faculty and Non-Teaching staff and terms and conditions under Section 26 (1) (d) Partial and Manner of appointment, conditions of service and conduct of Teachers and other Employees of the University Under Section 26(1) (d) & (e) Shall be as per The Manual ( Para 3 xxii) whereas salary will not be less than prescribed by UGC.**

- (i) Evaluation /Performance Appraisal, Workload, Job Responsibility and Related Matters shall be as per The Manual ( Para 3 xxii)
- (ii) Holidays leave and vacation for the Staff of University and its various Institutes shall be as per The Manual ( Para 3 xxii)
- (iii) Policies regarding Medical benefits will be decided by the Board of Management from time to time.
- (iv) Retirement, Provident Fund, Gratuity etc. shall be as per The Manual ( Para 3 xxii)
- (v) Code for Employees Conduct shall be as per The Manual ( Para 3 xxii)

**9. Processes for admission, prescription of fees and provision of scholarships.**

- (i) Admission to the University Under Section 26 (1) (i)



- a) Admission to the various courses of the University shall be given as per the Eligibility Criteria prescribed for the respective courses by the Academic Council on the recommendation of Academic Advisory Boards or as per Ordinances. The mode of admission can be any options as provided below, based on the circumstances, number of applicants and depending on the source of admission, may be at international, national- level or state-level.
- b) Admissions may be given on basis of merit in qualifying examinations, or a written test to be conducted by the University, or a national level test being conducted by external agencies (viz. AIEEE, GATE, etc.), or combined merit with due weightage to written test and relevant qualifying examinations, or aptitude test / interview / group discussion.
- c) Provided however, wherever the admissions are to be given in professional courses covered under Gujarat Act No. 2 of 2008, namely the Gujarat Professional Technical Educational Colleges or Institutions (Regulations of Admission and Fixation of Fees) Act 2007 the admissions will be given as per the said provisions of this Act.
- d) The reservation policy in admission will be subjected to norms and law to be prescribed by the Government from time to time, if any, for the self-financing institutions (SFI).

(ii) For Prescribing Fees, etc. (Under section 26 (1) (j))

The fees of each course will be decided by the Board of Management on the recommendation of the Committee comprising of following members.

- a) Provost as Chairperson
  - b) Dean of the School/Director of centre concerned
  - c) Head of the Department/Programme coordinator, concerned
  - d) One expert to be nominated by the Provost.
  - e) Chief Finance Officer and Accounts Officer - Member Secretary
- (iii) Provided however, the fees for professional courses, which are covered under jurisdiction of the Gujarat Act No. 2 of 2008, namely Gujarat Professional Technical Educational Colleges or Institutions (Regulations of Admission and Fixation of Fees) Act 2007, will be decided in compliance of this Act.
- (iv) While prescribing the fees, following aspects may be taken into consideration.
- a) Salary, remuneration, allowances, cost of training etc of the teaching and non-teaching staff.
  - b) Expenses on maintenance and financial servicing of infrastructure, electricity, telephone, etc.
  - c) Laboratory, workshop equipment's and supplies.
  - d) Materials prepared / provided for courses.
  - e) Depreciation on building and other equipments, etc.
  - f) Administrative cost of training, welfare, library, periodicals, etc. and also-reasonable surplus for future development.
  - g) Compensatory cost of subsidized education.
  - h) Average inflationary costs of operations.
  - i) Cost spread over number of students for the course.
- (v) Fees may be revised periodically.
- (vi) For Providing Scholarships Under Section 26 (1) (h)

The University may also provide mechanism for providing scholarships or financial assistance, such as merit-cum-means scholarships, to the students and the criteria for such scholarships, financial assistance and or loans will be decided by the Board of Management from time to time.

#### 10. Conferment of Honorary Degrees Under section 26 (1) (g).

If the University wishes to confer an honorary degree of D.Litt. to any distinguished personality for outstanding contribution in any area of work, the same can be awarded, subject to following procedure.

- (i) The proposal will be submitted to the Academic Council with full bio-data of the person concerned, highlighting the achievements and contribution in the area concerned, and the recommendation of the Academic Council shall be submitted to the Board of Management and the Board of Governors. The proposal shall be passed to confer such distinction with at least with 2/3rd majority in each of the above bodies.
- (ii) Such degrees or distinction can be awarded at regular or a special convocation.

#### 11. Procedure for Arbitration under Section 26 (f). In case of dispute between employees and/or students the following mechanisms will be in place:

- (i) Appeal to the next higher authority.
- (ii) Grievance Redressal Cell.
- (Hi) Sexual harassment Redressal Cell
- (iv) In case of dispute between employees and/or students and the University and in case the dispute cannot be resolved by the respective officers or Authorities of the University, or committees formed for such purposes the President may appoint an arbitrator as a Sole Arbitrator, from among the members of the Board of Governors other than those who are also on the Board of Management
- (v) The award of the Sole Arbitrator shall be final & binding to both the parties. The decision of sole arbitrator shall be final on every matter arising there under. The venue of arbitration shall be Vadodara only.

#### 12. The Courts in Vadodara, Gujarat in the Republic of India will have sole jurisdiction to entertain any case arising out of any dispute against the University by others.