

The following Act of the Tamil Nadu Open University Assembly received the assent of the Governor on the 26<sup>th</sup> May 2002 and is hereby published for general information:

### **ACT No.27 OF 2002**

*An Act to establish and incorporate an Open University at the State level for the introduction and promotion of Open University and Distance Education in the educational pattern of the State and for the co-ordination and determination of standards in such systems.*

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-Third Year of Republic of India as follows:

### **CHAPTER - I**

#### **PRELIMINARY**

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|----|--|---|
| 1. | (1) This Act may be called the Tamil Nadu Open University Act, 2002.                             | <i>Short title, applicability extent and commencement</i> |
|    | (2) It extends to the whole State of Tamil Nadu.   |   |
|    | (3) This act shall come into force on such date as the Government may, by notification, appoint. |   |
| 2. | In this Act, unless the context otherwise requires,-   | <i>Definitions.</i>                                       |
|    | (1) “academic council” means the academic council of the University;                             |   |

- (2) “academic year” means a period of twelve months commencing on the first day of July of the year or such other period of twelve months beginning on such date as the Syndicate may specify in respect of all the colleges and institutions under the control of the University or any particular college thereof;
- (3) “college” means any college or any institution maintained by or admitted to the privileges of the University;
- (4) “Distance education systems” means the system of imparting education through any means of communication, such as broadcasting, telecasting, correspondence courses, seminars, contact programmes or the combination of any two or more of such means;
- (5) “Employee” means any person appointed by the University, and includes teachers and other academic staff of the University;
- (6) “Finance Committee” means the Finance Committee of the University;
- (7) “Government” means the State Government;
- (8) “prescribed” means prescribed by this Act or the statutes, ordinances or regulations;
- (9) “Regional Centre” means a centre established or maintained by the University for the purpose of co-ordinating and supervising the work of Study Centres in any region and for performing such other functions as may be conferred on such centre by the Syndicate;
- (10) “School” means a School of Studies of the University.
- (11) “Statutes” “Ordinances” and “Regulations” mean, respectively, the Statutes, Ordinances and Regulations of the University;
- (12) “Student” means a student of the University, and includes any person who has enrolled himself for pursuing any course of study of the University;
- (13) “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;

- (14) “Teachers” means Professors, Readers, Lecturers and such other persons as may be designated as such by the Ordinances for imparting instruction in the University or for giving guidance or rendering assistance to students for pursuing any course of study of the University.
- (15) “University” means the Tamil Nadu Open University established under this Act;
- (16) “Vice-Chancellor” means the Vice-Chancellor of the University.

## CHAPTER II

### THE UNIVERSITY

- 3. (1) There shall be a University by the name ‘Tamil Nadu Open University’. *The University*
- (2) The University shall be a body corporate, shall have perpetual succession and a common seal and shall sue and be sued by the said name.
- (3) The Headquarters of the University shall be located at Chennai and it may establish or maintain Colleges, Regional Centres and Study Centres at such other places in Tamil Nadu, other States of the Indian Union and outside the country as it may deem fit.
- 4. (1) The University shall endeavour through education, research, training and extension to play a positive role in the development of Tamil Nadu, and based on the rich heritage of the State, to promote and advance the culture of the people of India, especially Tamil Nadu and its human resources. Towards this end, it shall have the following objects namely. *Powers, Functions and Objects of the University*
  - (a) to strengthen and diversify the degree, certificate and diploma courses related to the needs of employment and necessary for building the economy of the State on the basis of its natural and human resources;
  - (b) to provide access to higher education for large

segments of the population, and in particular, the disadvantaged groups such as those living in remote and rural areas including working people, housewives and other adults who wish to upgrade or acquire knowledge through studies in various fields;

- (c) to promote acquisition of knowledge in a rapidly developing and changing society and to continually offer opportunities for upgrading knowledge, training and skills in the context of innovations, research and discovery in all fields of human endeavours;
- (d) to provide an innovative system of University level education, flexible and open, in regard to methods and pace of learning, combination of courses, eligibility for enrolment, age of entry, medium of instruction, conduct of examination and operation of the programmes with a view to promote learning and encourage excellence in new fields of knowledge;
- (e) to contribute to the improvement of the educational system in the state by providing a non-formal channel complementary to the formal system and encouraging transfer of credits and exchange of teaching staff by making wide use of texts and other software developed by the University;
- (f) to provide education and training in the various arts, crafts and skills of the country, raising their quality and improving their availability to the people;
- (g) to provide or arrange training of teachers required for such activities or institutions;
- (h) to provide suitable post-graduate courses of study and promote research;
- (i) to provide counselling and guidance to its students; and
- (j) to promote national integration and the integrated development of the human personality through its policies and programmes;
- (k) to encourage the Open University and distance education systems in the educational pattern of the State and to coordinate and determine the standard in such systems.

(2) The University shall strive to fulfill the above objects by a diversity of means of distance and continuing education, and shall function in co-operation with the exiting Universities and Institutions of higher learning and make full use of the latest scientific knowledge and new educational technology to offer a high quality of education which matches contemporary needs. Towards this end, it shall have the following powers, namely;

(i) to provide for instruction in such branches of knowledge, technology, vocations and professions as the University may determine from time to time and to make provision for research;

(ii) to plan and prescribe courses of study for degrees, diplomas, certificates or for any other purpose;

(iii) to hold examinations and confer degrees, diplomas, certificates or other academic distinctions or recognitions on persons who have pursued a course of study or conducted research as prescribed;

(iv) to confer honorary degrees or other distinctions in the manner prescribed;

(v) to determine the manner in which distance education in relation to the academic programmes of the University may be organized;

(vi) to institute professorships, readerships, lecturerships and other academic positions necessary for imparting instruction or for preparing educational material or for conducting other academic activities, including guidance, designing and delivery of course and evaluation of the work done by the students, and to appoint persons to such professorships, readerships, lecturerships and other academic position;

(vii) to co-operate with, and seek the co-operation of, other Universities and institutions of higher learning, professional bodies and organisations, for such purposes as the University considers necessary;

(viii) to institute and award fellowships, scholarships, prizes and such other awards for recognition of merit as the University may deem fit;

(ix) to establish and maintain such Regional Centres as may be determined by the University from time to time;

(x) to establish, maintain or recognise Study Centres in the manner prescribed;

(xi) to provide for the preparation of instructional materials, including films, cassettes, types, video cassettes and other software;

(xii) to organise and conduct refresher courses, workshops, seminars and other programmes for teachers, lesson writers, evaluators and other academic staff;

(xiii) to recognise examinations of, or periods of study (whether in full or part) at, other Universities, Institutions or other places of higher learning as equivalent to examinations or periods of study in the University, and to withdraw such recognition at any time;

(xiv) to make provision for research and development in educational technology and related matters;

(xv) to create administrative, ministerial and other necessary posts and to make appointments thereto;

(xvi) to receive benefactions, donations and gifts and to acquire, hold, maintain and dispose of any property movable or immovable, including trust and Government property, for the purposes of the University.

(xvii) to borrow, with the approval of the Government whether on the security of the property of the University or otherwise, money for the purposes of the University.

(xviii) to enter into, carry out, vary or cancel contracts;

(xix) to demand and receive such fees and other charges as may be laid down by the ordinances;

(xx) to provide, control and maintain discipline among the students and all categories of employees and to lay down the conditions of service of such employees, including their codes of conduct;

(xxi) to recognise any institution of higher learning or studies for such purposes as the university may determine and to withdraw such recognitions;

(xxii) 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;

(xxiii) to recognise persons working in other Universities, Institutions or organisations as teachers of the University on such terms and conditions as may be prescribed;

(xxiv) to determine standards and to specify conditions for the admission of students to courses of study of the University which may include examination, evaluation and any other method of testing;

(xxv) to make arrangements for the promotion of the general health and welfare of the employees;

(xxvi) to confer autonomous status on a college or a Regional Centre in the manner laid down by the statutes;

(xxvii) to admit to its privileges any College in Tamil Nadu or other States of Indian Union or outside India, subject to such conditions as may be prescribed;

(xxviii) to do all such acts as may be necessary or incidental to the exercise of all or any of the powers of the University as are necessary and conducive to the promotion of all or any of the objects of the University;

5. (1) The University shall, subject to the provisions of *Admission to*

this Act and the statutes, be open to all persons;

*University*

Provide that special efforts shall be taken to encourage the oppressed classes and disadvantaged groups.

(2) Nothing contained in sub-section (1) shall require the University-

(a) to admit to any course of study any person who does not possess the prescribed academic qualification or standard;

(b) to retain on the rolls of the University any student whose academic record is below the minimum standard required for the award of a degree, diploma or other academic distinction; or

(c) to admit any person or retain any student whose conduct is prejudicial to the interests of the University or the rights and privileges of other students and teachers.

6. (1) The Government shall have the right to cause an inspection or inquiry, to be made, by such person or persons, as they may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipments and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in respect of any matter connected with the University. The Government shall, in every case given notice to the University of their intention to cause such inspection or inquiry to be made and the University shall be entitled to be represented thereat.

*Visitation*

(2) The Government shall communicate to the Syndicate their views with reference to the results of such inspection or inquiry and may, after ascertaining the opinion of the Syndicate thereon, advise the University upon the action to be taken and fix a time limit for taking such action.

(3) The Syndicate shall report to the Government the action, if any, which is proposed to be taken or has been taken, upon the result of such inspection or inquiry. Such report shall be submitted within such time as the Government may direct.



- (4) Where the Syndicate does not take action to the satisfaction of the Government within a reasonable time, the Government may after considering any explanation furnished or representation made by the Syndicate, issue such directions as they may think fit and the Syndicate shall comply with such directions. In the event of the Syndicate not complying with such directions within such time as may be fixed in that behalf by the c, the Government shall have power to appoint any person or body to comply with such directions and make such orders as may be necessary for the expenses thereof.

### CHAPTER III

#### OFFICERS OF THE UNIVERSITY

7. The University shall consist of the following officers, namely:- *Officers of University.*
- (1) The Chancellor;
  - (2) The Pro-Chancellor;
  - (3) The Vice-Chancellor;
  - (4) The Directors;
  - (5) The Registrar;
  - (6) The Finance Officer;
  - (7) The Controller of Examination; and
  - (8) Such other persons as may be declared by the Statutes to be officers of the University.
8. (1) The Governor of Tamil Nadu shall be the Chancellor of the University. He shall, by virtue of his office, be the Head of the University and shall, when present, preside at any convocation of the University and confer degrees, titles, diplomas or other academic distinctions upon persons entitled to receive them. *Chancellor*
- (2) Where power is conferred upon the Chancellor to nominate persons to the authorities, the Chancellor shall, in consultation with the Vice-Chancellor, and to the extent necessary nominate persons to represent interests not otherwise adequately represented.
- (3) The Chancellor may, of his own motion or on application, call for and examine the record of any officer or authority of any University in respect of any

proceedings to satisfy as to the regularity of such proceedings or the correctness, legality or propriety of such proceedings or the correctness, legality or propriety of any decision taken or order passed therein; and, if in any case, it appears to the Chancellor that any such decision or order should be modified, annulled, reversed or remitted for reconsideration, he may pass orders accordingly.

Provided that every application to the Chancellor for the exercise of the powers under this section shall be preferred within three months from the date on which the proceeding, decision or order to which the application relates was communicated to the applicant;

Provided further that no order prejudicial to any person shall be passed unless such person has been given an opportunity of making his representation.

- (4) No honorary degree or other distinction shall be conferred by the University upon any person without the prior approval of the Chancellor.
- (5) The Chancellor shall exercise such other powers and perform such other duties as may be conferred on him by or under the provisions of this Act.
9. (1) The Minister in-charge of the portfolio of Education in the State of Tamil Nadu shall be the Pro-Chancellor of the University. *Pro-Chancellor*
- (2) The Pro-Chancellor shall exercise such powers and perform such duties as may be conferred on him by or under this Act.
- (3) In the absence of the Chancellor, or during the Chancellor's inability to act, the Pro-Chancellor shall exercise all the powers and perform all the duties of the Chancellor.
10. (1) Every appointment of the Vice-Chancellor shall be made by the Chancellor from out of a panel of three names recommended by the Committee referred to in sub-section (2) and such panel shall not contain the name of any member of the said committee. *Vice-Chancellor*

Provided that if the Chancellor does not approve any

of the persons in the panel so recommended by the Committee, he may take steps to constitute another Committee, in accordance with sub-section (2) to give a fresh panel of three different names and shall appoint one of the persons named in the fresh panel as Vice-Chancellor.

- (2) For the purpose of sub-section (1), the Committee shall consist of three persons of whom one shall be nominated by the Chancellor, one shall be nominated by the Government and one shall be nominated by the Syndicate:

Provided that the person so nominated shall not be a member of any of the authorities of the University.

- (3) The Vice-Chancellor shall hold office for a period of three years and shall not be eligible for a second term.

Provided that the Vice-Chancellor may, by writing under his hand addressed to the Chancellor and after giving two months notice, resign his office;

(a) There shall be paid to the Vice-Chancellor a fixed salary of Twenty five thousand rupees per mensem or such higher salary as may be fixed by the Government from time to time and he shall be entitled without payment of rent of office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence. He may be entitled to such other perquisites as may be provided in the statutes.

(b) The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Syndicate with the approval of the Chancellor from time to time.

Provided that, where an employee of-

(i) the University; or

(ii) any other University or college or institution maintained by, or affiliated to, that University, is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the Provident Fund to which he is a subscriber, and the contribution of the

University shall be limited to what he had been contributing immediately before his appointment as Vice-Chancellor.

(c) The Vice-Chancellor shall be entitled to travelling allowances at such rates as may be fixed by the Syndicate.

(d) The Vice-Chancellor shall be entitled to earned leave on full pay at one-eleventh of the periods spent by him on active service;

Provided that on the date of expiry of the term of his office, if he had not availed of the earned leave before the date of expiry of the term of his office, be entitled to draw cash equivalent to leave salary after relinquishment of his office in respect of earned leave at his credit subject to a maximum of two hundred and forty days.

(e) The Vice-Chancellor shall be entitled, on medical grounds or otherwise, to leave without pay for a period not exceeding three months during the term of his office:

Provided that such leave may be converted into leave on full pay to the extent to which he is entitled to earned leave under clause (d).

11. (1) The Vice-Chancellor shall be the academic head and principal executive officer of the University
- (2) The Vice-Chancellor shall, in the absence of the Chancellor and the Pro-Chancellor, preside at any convocation of the University and confer degrees, titles, diplomas or other academic distinctions upon persons entitled to receive them.
- (3) The Vice-Chancellor shall exercise control over the affairs of the University and shall be responsible for the due maintenance of discipline in the University
- (4) The Vice-Chancellor shall ensure the faithful

*Powers and  
duties of Vice-  
Chancellor*

observance of the provisions of this Act, the statutes, ordinances and regulations made thereunder and he may exercise all powers as may be necessary for the purpose.

- (5) The Vice-Chancellor shall give effect to the orders of the Syndicate regarding the appointment, suspension and dismissal of the teachers and other employees of the University and any other decision of the Syndicate.
- (6) In any emergency, which in the opinion of the Vice-Chancellor requires immediate action to be taken, he shall, by order, take such action as he deems necessary and shall, at the earliest opportunity report the action taken to such officer or authority or body as would have, in the ordinary course, dealt with the matter:

Provided that no such order shall be passed unless the person likely to be affected has been given a reasonable opportunity of being heard.

- (7) Any person aggrieved by any order of the Vice-Chancellor under subsection (6) may prefer an appeal to the Syndicate within thirty days from the date on which such order is communicated to him and the Vice-Chancellor shall give effect to the order passed by the Syndicate on such appeal.
- (8) The Vice-Chancellor shall be the *ex-officio* Chairman of the Syndicate, the Academic Council and the Finance Committee. The Vice-Chancellor shall be entitled to be present at, and to address, any meeting of any authority or other body of the University, but shall not be entitled to vot thereat unless he is a member of such authority or body.
- (9) The Vice-Chancellor shall have power to convene meetings of the Syndicate, the Academic Council and

Finance Committee.

- (10) The Vice-Chancellor shall be responsible for the co-ordination and integration of teaching and research, extension education and curriculum development.
- (11) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed by the statutes.

- 12. Every Director shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the statutes.

*Directors*

- 13. (1) The Registrar shall be a whole-time salaried officer of the University appointed by the Syndicate on the recommendation of the Vice-Chancellor. The qualifications and the method of recruitment shall be such as may be prescribed. The terms and conditions of service of the Registrar shall be as follows:-

(a) the holder of the post of Registrar shall be not lower in rank than that of a University Professor.

(b) the Registrar shall hold office for a period of three years:

Provided that the Registrar shall retire on attaining the age of sixty years in the case of an academician and 58 years in the case of a non-academician or on the expiry of the period specified in this-clause, whichever is earlier.

- (c) the emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed.
  - (d) When the office of the Registrar is vacant or when the Registrar is, by reason of illness, absence or for any other cause, unable to perform the duties of his office, the duties of the office of the Registrar shall be performed by such person as the Vice-Chancellor may appoint for the purpose.
- (2) (a) The Registrar shall have power to take disciplinary action against such of the employees, excluding teachers of the University and academic staff, as may be specified in the orders of the Syndicate and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure or withholding of increments;

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him:

- (b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in clause (a).
- (c) In any case where the inquiry discloses that penalty beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry make a report to the Vice-Chancellor along with his recommendations.

Provided that an appeal shall lie to the Syndicate against an order of the Vice-Chancellor imposing any

penalty.

- (d) No appeal under clause (b) or clause (c) shall be preferred after the expiry of sixty days from the date on which the order appealed against was received by the applicant;
- (3) Save as otherwise provided in this Act, the Registrar shall be the ex-officio Secretary to the Syndicate, the Academic Council, the Faculties and the Boards of Studies, but shall not be deemed to be a member of any of these authorities.
- (4) It shall be the duty of the Registrar,
- (a) to be the custodian of the records, the common seal and such other property of the University as the Syndicate shall commit to his charge;
  - (b) to issue all notice convening meetings of the Syndicate, the Academic Council, the Faculties, the Boards of Studies, the Boards of Examiners and of any Committee appointed by the authorities of the University;
  - (c) to keep the minutes of all the proceedings of the meetings of the Syndicate, the Academic Council, the Faculties, the Boards of Studies, the Boards of Examiners and of any Committee appointed by the authorities of the University;
  - (d) to conduct the official correspondence of the Syndicate;
  - (e) to supply to the Chancellor copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of the proceedings of such meetings; and



- (f) to exercise such other powers and perform such other duties as may be specified in the statutes, the ordinances or the regulations or as may be required, from time to time, by the Syndicate or the Vice-Chancellor
- (5) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes, in such suits and proceedings, shall be issued to and served on, the Registrar.
14. (1) The Finance Officer shall be a whole-time salaried officer of the University appointed by the Syndicate for such period as may be specified by the Syndicate in this behalf. *Finance Officer*
- (2) Every appointment of the Finance Officer shall be made by the Syndicate on the recommendations of the Vice-Chancellor on a panel of three names of Officers forwarded by the Government not below the rank of the Joint Director of Local Fund Accounts.
- (3) The emoluments and other terms and conditions of service of the Finance Officer shall be such as may be prescribed.
- (4) The Finance Officer shall, notwithstanding his attaining the age of fifty-eight years or on the expiry of the period specified by the Syndicate under subsection (1), whichever is earlier:

Provided that the Finance Officer shall, retire on attaining the age of fifty eight years, continue in office until alternative arrangements are made or until the expiry of a period of one year, whichever is earlier.

(5) When the office of the Finance Officer is vacant or when the Finance Officer, is by reason of illness, absence or for any other cause, unable to perform the duties of his office, the duties of the Finance Officer shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(6) The Finance Officer shall.-

(a) exercise general supervision over the funds of the University and shall advise the University as regards its financial policy; and

(b) exercise such other powers and perform such other financial functions as may be assigned to him by the Syndicate or as may be prescribed;

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding such amount as may be prescribed without the previous approval of the Syndicate.

(7) Subject to the control of the Syndicate, the Finance Officer shall-

(a) ensure that the limit fixed by the Syndicate for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted;

(b) be responsible for the preparation of annual accounts, financial estimates and the budget of the University and for their presentation to the Syndicate;

(c) keep a constant watch on the cash and bank balance and of investments;

- (d) watch the progress of the collection of revenue and advise on the methods of collections employed;
  - (e) ensure that the registers of buildings , lands, furniture and equipments are maintained upto date and that stock checking is conducted, of equipments and other consumable materials in all offices, special centres, specialised laboratories and colleges maintained by the University;
  - (f) bring to the notice of the Vice-Chancellor any unauthorised expenditure or other financial irregularity and suggest appropriate action to be taken against person at fault; and
  - (g) call through the Registrar from any office, department, centre, laboratory and college maintained by the University, any information or returns that he may consider necessary for the performance of his duties.
- (8) The receipt of the Finance Officer or of the person or persons duly authorised in this behalf by the Syndicate for any money payable to the University shall be a sufficient discharge for payment of such money.
15. (1) The Controller of Examinations shall be a whole-time officer of the University appointed by the Syndicate on the recommendation of the Vice-Chancellor for such period and on such terms and conditions as may be prescribed.
- (2) The Controller of Examinations shall exercise such powers and perform such duties as may be prescribed.

*Controller of  
Examinations*

*Central  
Act XLV  
of 1860*

16. The Vice-Chancellor, the Registrar, the Finance Officer, the Controller of Examinations and other employees of the University shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.

*Vice-Chancellor  
and other  
officers, etc. to  
be public  
servants*

## CHAPTER IV

### AUTHORITIES OF THE UNIVERSITY

17. (1) The authorities of the University shall be the following, namely:-

*Authorities of  
the University*

- (1) the Syndicate;
- (2) the Academic Council;
- (3) the Boards of Studies;
- (4) the Planning Board;
- (5) the Finance Committee;
- (6) such other authorities as may be declared by the statutes to be the authorities of the University.

18. (1) No person shall be qualified for election or nomination as a member of any of the authorities of the University, if on the date of such election or nomination he is-

- (a) of unsound mind or a deaf mute; or
- (b) an applicant to be adjudicated as an insolvent or an undischarged insolvent; or
- (c) sentenced by a criminal court to imprisonment for any office involving moral turpitude.

- (2) In case of dispute or doubt, the Syndicate shall determine whether a person is disqualified under

sub-section (1) and its decision shall be final.

19. (1) Notwithstanding anything contained in sections 20 and 23, no person who has held office as a member for a total period of six years in the Syndicate and/or the Academic Council of the University shall be eligible for election or nomination to either of the said two authorities:

*Dis-qualification  
for election or  
nomination to  
Syndicate and  
Academic Senate  
in certain cases*

Provided that for the purpose of computing the total period of six years referred to in this sub-section, the period of three years during which a person held office in one authority either by election or by nomination and the period of three years during which he held office in another authority either by election or by nomination shall be taken into account and accordingly such person shall not be eligible for election or nomination to either Syndicate or the Academic Council.

Provided further that for the purpose of this sub-section, a person who has held office for a period not less than one year in any of the authorities referred to in clause (a) or clause (b) in a casual vacancy shall be deemed to have held office for a period of three years in that authority:

Provided also that for the purpose of this sub-section, if a person was elected or nominated to one authority and such person become a member of another authority by virtue of the membership in the first mentioned authority, the period for which he held office in the first mentioned authority alone shall be taken into account.

- (2) Nothing in sub-section (1) shall have application in respect of -
- (i) Ex-officio members referred to in section 20
  - (ii) Ex-officio members referred to in section 23

20. (1) The Chancellor shall, as soon as may be, after the first Vice-Chancellor is appointed under section 45 constitute the Syndicate.
- (2) The Syndicate shall consist of the following members, namely

Class-I-Ex-officio members

- (a) The Vice-Chancellor;
- (b) Three Government Officials nominated by the Government, who shall be not below the cadre of special secretary to Government to be nominated by the Government;

Class-I-Other members

- (a) Two eminent educationists to be nominated by the Chancellor on the recommendation of the Vice-Chancellor;
- (b) Three eminent persons to be nominated by the Pro-Chancellor on the recommendation of the Vice-Chancellor of whom, one shall be from the non-formal or voluntary sector, one shall be from commerce or industry and the third shall represent the learned professions:

Provided that the members nominated under item (b), and (c) and (d) are such persons who will guide the Vice-Chancellor in administrative, academic and financial matters including any issues connected with social justice and policies of the State Government.

- (c) One Director nominated by the Chancellor on the recommendation of the Vice-Chancellor;
- (d) One University Professor nominated by the Chancellor on the recommendation of the Vice-Chancellor;
- (e) One University Reader nominated by the Vice-Chancellor by rotation according to seniority; and
- (f) One University Lecturer nominated by the Vice-

Chancellor, by rotation according to seniority; and

(g) Two persons to be co-opted by the Syndicate out of whom one may be an expert on distance education, and the other has special knowledge of or experience in media or communication field.

- (3) (a) Save as otherwise provided, the members of the Syndicate, other than the ex-officio members, shall hold office for a period of three years and such members shall be eligible for election or nomination for not more than another period of three years.

(b) Where a member is nominated to the Syndicate in a casual vacancy, the period of office held for not less than one year by any such member shall be constructed as a full period of three years;

Provided that a member of the Syndicate who is nominated in his capacity as, a member of a particular electorate or body, or the holder of a particular appointment, shall cease to be member of the Syndicate from the date on which he ceases to be, a member of that body, or the holder of that appointment, as the case may be;

- (4) When a person ceases to be member of the Syndicate, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Syndicate.
- (5) The members of the Syndicate shall not be entitled to receive any remuneration from the University except such daily and travelling allowances as may be prescribed;

Provided that nothing contained in this sub-section shall preclude any member from drawing his normal emoluments to which he is entitled by virtue of the office he holds.

- (6) A member of the Syndicate, other than a Government Official, may tender resignation of his membership at any time before the term of his office expires. Such resignation shall be conveyed to the Chancellor by a letter in writing by the member, and the resignation shall take effect from the date of its acceptance by the Chancellor.

- 21. (1) The Syndicate shall have the power of management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

*Powers of  
Syndicate*

- (2) Subject to the provisions of the Act, the statutes and the ordinances, the Syndicate shall, have the following powers, namely:

- (a) to create teaching and other academic posts and to define the functions and conditions of service of Professors, Readers, Lecturers and other teachers and other academic staff employed by the University;

- (b) to prescribe qualifications for teachers and other academic staff;

- (c) to approve the appointment of such Professors, Readers, Lecturers and other teachers and academic staff as may be necessary on the recommendations of the Selection Committee constituted for the purpose;

- (d) to approve appointments to temporary vacancies of any academic staffs;

- (e) to specify the manner of appointment to temporary vacancies of any academic staff;

- (f) To provide for the appointment of Visiting Professors, Emeritus Professors, Fellows, Artists and Writers and determine the terms and conditions of such appointments;

- (g) to manage and regulate the finances,



accounts, investments, property of the University and all other affairs of the University and to appoint such agents as may be considered fit;

(h) to administer all properties and funds placed at the disposal of the University.

(i) to create administrative, ministerial and other necessary posts after taking into account the recommendation of the Finance Committee and to specify the manner of appointment thereto;

(k) to transfer or accept transfers of any immovable or movable property on behalf of the University;

(l) to entertain, adjudicate upon, or redress the grievances of the employee and the students of the University who may, for any reason, feel aggrieved;

(m) to fix the remuneration payable to course writers, counselors, examiners and invigilators, and travelling and other allowances payable, after consulting the Finance Committee;

(n) to select the common seal for the University and to provided for the use of such seal;

(o) to delegate any of its powers of the Vice-Chancellor, Registrars, the Finance Officer or any other officer, employee or authority of the University, or to a committee appointed by it;

(p) to institute fellowships, scholarships, studentships; and

(q) to exercise such other powers and perform such other functions as may be conferred or imposed on it by the Act or the statutes.

(3) The Syndicate shall exercise all the powers of the University not otherwise provided for by the Act, statutes, ordinances and the Regulations for the fulfillment of the objects of the University.

22. (1) The Syndicate shall meet at least once in every three months at such time and places and shall, subject to the provisions of sub-sections (2) and (3), observe

*Meeting of  
Syndicate*

such rules of procedure in regard to transaction of business at its meetings including the quorum at meetings as may be prescribed.

- (2) The Vice-Chancellor or in his absence any member chosen by the members present, shall preside at a meeting of the Syndicate.
- (3) All questions at any meetings of the Syndicate shall be decided by a majority of the votes of the members present and voting and the case of an equality of votes, the Vice-Chancellor or the member presiding, as the case may be, shall have and exercise a second or casting vote.
- (4) (a) The Syndicate may, for the purpose of consultation invite my person having special knowledge or practical experience in any subject under consideration to attend any meeting. Such person may speak in, and otherwise take part in the proceedings of such meeting but shall not be entitled to vote.

(b) The person so invited shall be entitled to such daily and traveling allowances as are admissible to a member or the Syndicate.

23. (1) The Academic Council, shall consist of the following members, namely;-

*The Academic Council*

Class - I - Ex-officio members

- (a) The Chancellor;
- (b) The Pro-Chancellor;
- (c) The Vice-Chancellor
- (d) All Directors;
- (e) Librarian;

Class-II-Other members

(a) Not more than six teachers, other than Directors, to be nominated by the Syndicate on the recommendations of the Vice-Chancellor;

(b) Not more than ten persons who are not employees of the University, co-opted by the Academic Council for their special knowledge, including representatives of employer's organisations, industries, trade and commerce, academic and professional organizations, communications field etc.

- (2) (a) Save as otherwise provided, nominated and co-opted members of the Academic Council shall hold office for a period of three years and such member shall be eligible for election or nomination for not more than another period of three years.

(b) Where a member is nominated to the Academic Council to a casual vacancy, the period of office held for not less than one year by any such member shall be constructed as a full period of three years:

Provided that a member of the Academic Council who is nominated in his capacity as a member of a particular body or the holder of a particular appointment, shall cease to be a member of the Academic Council from the date on which he cease to be a member of that body, or the holder of that appointment, as the case may be:

Provided further that where a nominated member of the Academic Council is appointed temporarily to any of the offices by virtue of which he is entitled to be a member of the Academic Council ex-officio, he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be member of the Academic Council by virtue of his nomination or whether he will vacate office as such member and become a member ex-officio by virtue of his appointment and the choice shall be conclusive. On failure to make such a choice, he shall be deemed to have vacated his office as an elected or a nominated member.

- (3) When a person ceases to be a member of the Academic Council he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Academic Council.

- (4) The members of the Academic Council shall not be entitled to receive any remuneration from the University except such daily and traveling allowances as may be prescribed:

Provided that nothing contained in this sub-section shall preclude any member from drawing his normal emoluments to which he is entitled by virtue of the office he holds.

- (5) A member of the Academic Council other than an ex-officio member, may tender resignation of his membership at any time before the term of his office expires. Such resignation shall be conveyed to the Chancellor by a letter in writing by the member and the resignation shall take effect from the date of its acceptance by the Chancellor.

24. (1) The Academic Council shall be the principal academic body of the University and shall subject to the provisions of the Act and the statutes have the control and general regulation of teaching and examination in the University and be responsible for the maintenance of the standards thereon. In addition it shall also act as the body to review the broad policies and programmes of the University.

*Powers and functions of the Academic council*

- (2) The Academic Council shall have the following powers and functions namesly;-

(a) To exercise general control on teaching and other educational programmes and maintain and promote the standards thereof;

(b) to make regulations and amend or repeal the same;

(c) to make-regulations -

(j) regarding the admissions of students to the University and the number of students to be admitted;

(ii) Regarding the courses of study leading to degrees, diplomas and other academic distinctions;

(iii) Regarding the conduct of examinations and maintenance and promotion of standards of

education;

(iv) Prescribing equivalence of examinations, degrees, diplomas and certificates of other Universities, Colleges, Institutions and Boards;

(v) regarding industrial training where such training forms part of the requirements for the degree, diploma or other academic distinctions; and

(vi) for the assessment, evolution and grading of students performance;

(d) to advise the Syndicate on all academic matters including the control and management of libraries;

(e) to make recommendations to the Syndicate for the institution of Professorship, Readership, Lecturership and other teaching posts including posts in research and in regard to the duties and emoluments thereof;

(f) to formulate, modify or revise schemes for the constitution or reconstitution of departments of teaching and research;

(g) to make recommendations to the Syndicate regarding post graduate teaching and research;

(h) to make recommendations to the Syndicate regarding the qualifications to be prescribed for teaching in the University;

(i) to review recommendations to the Syndicate for the conferment of honorary degrees or other distinctions;

(j) to review and act upon the proposals of Boards of Studies in formulating rules, regulations, syllabi and methods of evaluation, introduction of new courses and modification of existing courses;

(k) to make recommendations to the Syndicate regarding institution of fellowships and scholarships;

(l) to recommend to the Syndicate measures for promoting collaboration between industries and Governmental employers on the one hand and the

University on the other;

(m) to delegate to the Vice-Chancellor or to any of the committees of the Academic Council, any of its powers; and

(n) to assess and make recommendations laying down standards of accommodation, equipment, apparatus, library, maintenance and other physical facilities required for each faculty;

(3) Subject to the other provisions of this Act, the Academic Council in its capacity as a reviewing body shall have the following powers and functions, namely;-

(a) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;

(b) to advise the Chancellor in respect of any matter, which may be referred to it for advice; and

(c) to exercise such other powers and perform such other functions as may be prescribed by the statutes.

25. (1) The Academic Council shall meet at least twice in every year on dates to be fixed by the Vice-Chancellor. One of such meetings shall be called the annual meeting. The Academic Council may also meet at such other times as it may, from time to time, determine.

*Meetings of the  
Academic Council*

(2) One third of the total strength of the members of the Academic Council shall be the quorum required for a meeting of the Academic Council;

Provided that such quorum shall not be required at a convocation of the University, or a meeting of the Academic Council held for the purpose of conferring degrees, titles, diplomas or other academic distinctions.

(3) The Vice-Chancellor may, whenever he thinks fit, and shall upon a requisition in writing signed by not less than fifty per cent of the total members of the

Academic Council, convene a special meeting of the Academic Council.

26. (1) The Finance Committee shall consist of the following members, namely;-

*The Finance Committee*

- (a) the Vice-Chancellor
  - (b) the Secretary to Government in charge of Finance;
  - (c) the Secretary to Government in charge of Higher Education; and
  - (d) three members nominated by the Syndicate from among its members of whom one shall be a Professor and one shall be a person nominated to the Syndicate by the Chancellor.
- (2) The Vice-Chancellor shall be the Ex-officio Chairman and the Finance Officer shall be the Ex-officio Secretary to the Finance Committee. The Registrar shall be a special invitee.
- (3) All the members of the Finance Committee, other than the ex-officio members shall hold office for a period of three years.
- (4) The Finance Committee shall meet at least twice in every year to examine the accounts and to scrutinize proposals for expenditure.
- (5) The annual accounts of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Syndicate for approval.
- (6) The Finance Committee shall recommend limits for the total recurring expenditure and the total non-recurring expenditure for the year based on the income and resources of the University.
- (7) The Finance Committee shall -
- (a) review the financial position of the University from time to time;
  - (b) make recommendation to the Syndicate on

every proposal involving investment or expenditure for which no provision has been made in the annual financial estimates or which involves expenditure excess of the amount provided for in the annual financial estimates.

(c) prescribe the methods and procedure and forms for maintaining the accounts of the University its departments and its constituent colleges;

(d) make recommendations to the Syndicate on all matters relating to the finances of the University; and

(e) perform such other functions as may be prescribed.

- (8) The financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments. The said estimates, as modified by the Finance Committee, shall then be laid before the Syndicate for consideration. The Syndicate may accept the modifications made by the Finance Committee.

27. (1) There shall be constituted a Planning Board of the University which shall advise generally on the planning and development of the University and review the standard of education and research in the University.

*The Planning Board*

- (2) The Planning Board shall consist of the following members namely;-

(a) Vice-Chancellor;

(b) Four persons to be nominated by the Vice-Chancellor from amongst the academic staff of the University;

(c) Five persons, who are not employees of the University, to be nominated by the Chancellor, one each representing the following sectors:

- (i) Vocational / Technical Education;
- (ii) Media / Communications;
- (iii) Manpower Planning;
- (iv) Agriculture / Rural Development and allied activities; and



(v) Women's Studies

(d) Five persons, who are not employee of the University, to be nominated by the Syndicate, for their expertise, one each of the following areas of specialization:

- (i) Management;
- (ii) Learned Professions;
- (iii) Education;
- (iv) Distance Education and
- (v) Commerce and Industry.

- (3) All the members of the Planning Board, other than the Vice-Chancellor, shall hold office for a term of three years.
- (4) The Planning Board shall, in addition to all other powers vested in it by this Act, have the right to advice the Syndicate and the Academic Council on any academic matter.

- |     |   |  |
|-----|---|--|
| 28. | There shall be a Board of Studies attached to each school. The constitution and power of the Boards of Studies shall be such as may be prescribed.  | <i>Board of Studies</i>                                    |
| 29. | The constitution and power of such other bodies, as may be declared by the statutes to be authorities of the University, shall be such as may be prescribed.  | <i>Constitution of other authorities</i>                   |
| 30. | All the authorities of the University shall have power to constitute or reconstitute committees and to delegate to them such of their powers as they deem fit; such committees shall, save as otherwise provided, consist of members of the authority concerned and of such other persons, if any, as the authority in each case, may deem fit. | <i>Constitution of committees and delegation of powers</i> |

## CHAPTER V

### STATUTES, ORDINANCES AND REGULATIONS

- |     |   |                 |
|-----|---|-----------------|
| 31. | Subject to the provisions of this Act, the statutes may provide for all or any of the following matters, namely;- | <i>Statutes</i> |
| (1) | the holding of convocation to confer degrees.   |                 |

- (2) the conferment of honorary degrees and academic distinctions;
- (3) the constitution, powers and functions of the authorities of the University;
- (4) the manner of filling vacancies among members of the authorities
- (5) the allowances to be paid to the members of the authorities and committees thereof;
- (6) the procedure at meetings of authorities including the quorum for the transaction of business at such meetings;
- (7) the authentication of the orders or decisions of the authorities;
- (8) the formation of departments of teaching at the University;
- (9) the term of office and methods of appointment and conditions of service of the officers of the University other than the Chancellor and the Pro-Chancellor;
- (10) the qualifications of the teachers and other persons employed by the University;
- (11) the classifications, the method of appointment and determination of the terms and conditions of service of teachers and other persons employed by the University;
- (12) the institution of pension, gratuity, insurance or provident fund for the benefit of the officers, teachers and other persons employed by the University;
- (13) the institution of fellowships, travelling fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes and the conditions of award thereof;
- (14) the establishment and maintenance of halls, hostels and laboratories;
- (15) the conditions for residence of students of the

University in the halls and hostels and the levy of fees and other charges for such residence;

- (16) the delegation of powers vested in the authorities or officers of the University; and
- (17) any other matter which is required to be or may be prescribed by the statutes.

32. (1) The syndicate may from time to time, make statutes and amend or repeal the statutes in the manner hereafter provided in this section.

*statutes how made*

- (2) The Academic Council or the Vice-Chancellor may propose to the Syndicate the draft of any statute or of any amendment to, or of repeal of, a statute, to be passed by the Syndicate and such draft shall be considered by the Syndicate at its next meeting;

Provided that the Vice-Chancellor shall not propose any amendment to any statute affecting the status, powers and constitution of any authority of the University, until such authority has been given an opportunity of expressing its opinion and the opinion so expressed shall be considered by the Syndicate.

- (3) The Syndicate may consider the draft proposed by the Academic Council and the Vice-Chancellor under subsection (2) and may either pass the draft or reject or return it with or without amendments to the Academic Council or the Vice-Chancellor as the case may be for reconsideration.
- (4) (a) Any member of the Syndicate may propose to the Syndicate the draft of a state or of any amendments to, or of repeal of, a statute and the Syndicate may either accept or reject the draft, if it relates to matter not falling within the purview of the Academic Council.  
(b) In case such relates to a matter within the purview of the Academic Council, the Syndicate shall refer it for consideration to the Academic Council, which may, either report to the Syndicate that it does not approve the draft or submit the draft to the Syndicate in such form as the Academic Council may approve and the Syndicate may either pass with or without amendments or reject the draft.

- (5) A statute or an amendment to or repeal of, a statute passed by the Syndicate shall be submitted to the Chancellor who may assent thereto or withhold his assent. A statute or an amendment to or repeal of, a statute passed by the Syndicate shall have no validity until it has been assented to by the Chancellor.

33. Subject to the provisions of this Act and the statutes, the ordinances of the University may provide for all or any of the followings matters, namely:-

*Ordinances*

- (a) the admission of the students to the University;
- (b) the courses of study leading to all degrees, diplomas and other academic distinctions of the University;
- (c) the conditions under which the student shall be admitted to the courses of study leading to degrees, diplomas and other academic distinctions of the University;
- (d) the conduct of examinations of the University and the conditions on which students shall be admitted to such examinations;
- (e) the manner in which exemptions relating to the admission of students to examinations may be given;
- (f) the conditions and mode of appointment and duties of examining bodies and examiners;
- (g) the maintenance of discipline among the students of the University;
- (h) the fees to be charged for courses of study, research, experiment and practical training and for admission to the examinations for degrees, diplomas and other academic distinctions of the University, and
- (i) any other matter which by this Act or the statutes is required to be, or may be prescribed by the ordinances.

34. (1) Save as otherwise provided in this section, ordinances shall be made by the Academic Council.

*Ordinances how made*

- (2) All ordinances made by the Academic Council shall

take effect from such date as may be fixed by the Academic Council, but every ordinance so made shall be submitted as soon as may be after it is made to the Syndicate and shall be considered by the Syndicate as its next meeting.

- (3) The Syndicate shall have power by a resolution passed by a majority or not less than two-thirds of the members present at such meeting, to modify or cancel any such ordinance and such ordinance shall from the date of such resolution have effect in such modified form or be of no such effect as the case may be.

35. (1) The Syndicate and the Academic Council may make regulations consistent with the provisions of this Act, the statutes and the ordinances, for all or any of the matters which by this Act and the statutes and ordinances are to be provided for by regulations and also for any other matter solely concerning such authorities.
- (2) All such regulations shall have effect from such date as the Syndicate or the Academic Council, as the case may be, may appoint in that behalf
- (3) Each of the authorities referred to in sub-section(1) shall make regulations providing for the giving of notice to the members thereof of the date of meeting and of the business to be considered at the meetings and for the keeping of the proceedings of the meetings
- (4) The Syndicate may direct the amendment in such manner as it may specify, of any regulation made under this section or the annulment of any regulation made thereunder by itself or by the Academic Council.

*Regulations*

## CHAPTER VI

### ADMISSIONS OF STUDENTS

36. No person shall be admitted to a course of study in the University for admission to the examinations for degrees, titles or diplomas of the University unless he-

*Admission to University courses*

- (a) has passed the examination prescribed there for, and
- (b) fulfills such other academic conditions as may be prescribed by the University.

## CHAPTER VII

### UNIVERSITY FUNDS, ANNUAL REPORT AND ACCOUNTS

- |     |   |                            |
|-----|---|----------------------------|
| 37. | <ul style="list-style-type: none"> <li>(1) The University shall have General Fund to which shall be credited</li> <li>(a) its income from fees, grants, donations and gifts, if any;</li> <li>(b) any contribution or grant made by the Central Government or any State Government or any local authority or the University Grants Commission or any other similar body or any corporation owned or controlled by the Central or any State Government.</li> <li>(c) endowments and other receipts; and</li> <li>(d) the money borrowed by it.</li> </ul>  | <i>General Fund</i>        |
| 38. | The University may have such funds as may be prescribed.  | <i>Other Funds</i>         |
| 39. | The funds and all moneys of the University shall be managed in such manner as may be prescribed.  | <i>Management of Funds</i> |
| 40. | The annual report of the University shall be prepared by the Syndicate and shall be submitted to the Academic Council on or before such date as may be prescribed and shall be considered by the Academic Council at its next annual meeting. The Academic Council may pass resolutions thereon and communicate the same to the Syndicate which shall take action in accordance therewith. The Syndicate shall inform the Academic Council of the action taken by it. A copy of the report with a copy of the resolution thereon, if any, of the Academic Council shall be submitted to the Government. | <i>Annual Report</i>       |
| 41. | <ul style="list-style-type: none"> <li>(1) The annual accounts of the University, shall be submitted to such examination and audit as the Government may direct and a copy of the annual</li> </ul>   | <i>Annual Accounts</i>     |

accounts and audit report shall be submitted to the Government.

- (2) The University shall settle objections raised in such audit and carry out such instructions as may be issued by the Government on the audit report.
- (3) The accounts, when audited, shall be published by the Syndicate in such manner as may be prescribed and copies thereof shall be submitted to the Academic Council at its next meeting and to the Government within three months of such publications.
- (4) The Government shall cause the annual audited accounts and annual report to be laid before both Houses of Legislature together with their comments.

## CHAPTER VIII

### CONDITIONS OF SERVICE

- |                              |     |   |                               |
|------------------------------|-----|---|-------------------------------|
| 42.                          | (1) | The University shall institute for the benefit of its officers, teachers and other persons employed by the University, such pension, gratuity, insurance and provident fund as it may deem fit, in such manner and subject to such conditions as may be prescribed.           | <i>Pension Gratuity etc.,</i> |
| Central<br>Act XI<br>of 1925 | (2) | Where the University has so instituted a provident fund under subsection(1), the Government may declare that the provisions of the Provident Funds Act, 1925, shall apply to such funds as if the University were a local authority and the fund a Government Provident Fund. |                               |
|                              | (3) | The University, may, in consultation with the Finance Committee, invest the Provident Fund in such manner as it may determine.  |                               |
| 43.                          |     | Subject to the provisions of this Act, the appointment, procedure for selection, pay and allowances and other conditions of services of officers, teachers and other persons employed in the University shall be such as may be prescribed.                                   | <i>Conditions of Service</i>  |

Explanation - For the purpose of this section, the word "officers". Shall not include the Chancellor and the Pro-Chancellor.

44. (1) There shall be a Selection Committee for making recommendations to the Syndicate for appointment to the posts of Director, Professor, Reader, Lecturer and Librarian of the University.
- (2) The Selection Committee for appointment to the posts specified in subsection (10) shall consist of the Vice-Chancellor, a nominee of the Chancellor, a nominee of the Government and such other persons as may be prescribed:
- Provided that the selection for such appointment by the Selection Committee shall be made in accordance with the guidelines that may be issued by the University Grants Commission or other agencies concerned in relation to such appointment.
- (3) The Vice-Chancellor shall preside at the meetings of a Selection Committee.
- (4) The meetings of a Selection Committee shall be convened by the Vice-Chancellor.
- (5) The procedure to be followed by a Selection Committee in making recommendations shall be laid down in the ordinances.
- (6) If the Syndicate is unable to accept the recommendations made by a Selection Committee, it shall record its reasons and submit the case to the Chancellor for final orders.
- (7) Appointments to temporary posts or vacancies shall be made as prescribed.

*Selection  
Committee*

## CHAPTER X

### TRANSITORY PROVISIONS

45. Notwithstanding anything contained in sub-section (1) of section 12, within three months from the date of establishment of any new University, the first Vice-Chancellor shall be appointed by the Government on a salary to be fixed by them for a period not exceeding three years and on such other conditions as they think fit:

*Appointment of  
First Vice-  
chancellor*

Provided that a person appointed as first Vice-



Chancellor shall retire from office, if during the term of his office he completes the age of sixty-five years.

46. Notwithstanding anything contained in sub-section (1) of section 16, within three months from the date of establishment of any new University, the first Registrar shall be appointed by the Government on a salary to be fixed by them for a period not exceeding three years and on such other conditions as they think fit:

*Appointment of  
First Registrar*

Provided that a person appointed as first Registrar shall retire from office, if during the term of his office he completes the age of sixty years.

47. (1) It shall be the duty of the first Vice-Chancellor to make arrangements for constituting the Syndicate, Academic Council and such other authorities of the University within six months from the date of his appointment or such longer period not exceeding one year as the Government may, by notification specify.
- (2) The first Vice-Chancellor shall, in consultation with the Government, make such rules as may be necessary for the functioning of the University.
- (3) The authorities constituted under sub-section (1) shall commence to exercise their function on such date as the Government may, by notification, specify in this behalf.
- (4) It shall be the duty of the first Vice-Chancellor to draft such statutes, ordinances and regulations as may be necessary and submit them to the respective authorities for their disposal. Such statutes, ordinances and regulations when framed shall be published in the Tamil Nadu Government Gazette.
- (5) Notwithstanding anything contained in this Act and these statutes and until such time an authority is duly constituted, the First Vice-Chancellor may, appoint any officer or constitute any committee temporarily to exercise and perform any of the powers and duties of such Authority under the Act and these statutes.

*Transitory  
powers of the  
first Vice-  
Chancellor*

## CHAPTER XI

### MISCELLANEOUS

48. All casual vacancies among the members other than *ex-officio* members of any authority or other body of the University shall be filled as soon as conveniently may be, by the person or body who or which, nominated or elected the member whose place has become vacant and the person nominated or elected to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

*Filling of casual vacancies*

Provided that vacancies arising by efflux of time among elected members of any authority or other body of the University may be filled at elections which may be fixed by the Vice-Chancellor to take place on such days not earlier than two months from the date on which the vacancies arise, as he thinks fit:

Provided further that no casual vacancy shall be filled if such vacancy occurs within six months before the date of the expiry of the term of the member of any authority or other body of the University.

49. No Act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of any vacancy or of any defect or irregularity in the election or appointment of a member of such authority or other body of the University or of any defect or irregularity in such act or proceedings not affecting the merits of the case or on the ground only that the authority or other body of the University did not meet at such intervals as required under this Act.

*Proceedings of the University authorities and bodies not to be invalidated by vacancies*

- 50 (1) The Syndicate may-

*Removal from membership of the University*

(a) on the recommendation of not less than two-thirds of the members of the Syndicate, remove, by an order in writing, made in this behalf, the name of any person from the register of graduates; or

(b) remove, by an order in writing, made in this behalf any person from membership of any authority of the University by a resolution passed by a majority of the total membership of the Syndicate and by a

majority of not less than two thirds of the members of the Syndicate present and voting at the meeting, if such person has been convicted by a criminal court for an offence which in the opinion of the Syndicate involves moral turpitude or if he has been guilty of gross misconduct and for the same reason, the Syndicate may withdraw any degree or diploma conferred on or granted to that person by the University.

- (2) The Syndicate may also by an order in writing made in this behalf remove any person from the membership of any authority of the University if he becomes of unsound mind or deaf-mute or has applied to be adjudicated or has been adjudicated as an insolvent.
- (3) No action under this section shall be taken against any person unless he has been given a reasonable opportunity to show cause against the action proposed to be taken.
- (4) A copy of every order passed under sub-section (1) or sub-section (2), as the case may be, shall, as soon as may be after it is so passed, be communicated to the person concerned in the manner prescribed by regulations.

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

*Disputes as to contribution of University authorities and bodies*

52. Notwithstanding anything contained in this Act or in any other law for the time being in force, the Government may, by order in writing, call for any information from the University on any matter relating to the affairs of the University and the University shall, if such information is available with it, furnish to the Government with such information within a reasonable period:

*Power to obtain information*

Provided that in the case of information which the University considers confidential, the University may place the same before the Chancellor and the Pro-Chancellor.

53. (1) The Syndicate may invite any person of high academic distinction and professional attainments to accept a post of Professor in the University on such terms and conditions as it deems fit, and on the person agreeing to do so, appoint him to the post.
- (2) The Syndicate may appoint a teacher or any other member of the academic staff working in any other University or organization for undertaking a joint project in accordance with the manner prescribed in the ordinances.
54. (1) If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the notifies date or otherwise in giving effect to the provisions of this At, the Government may, by notification, make such provision, not inconsistent with the provisions of this Act, as may appear to them to be necessary or expedient for removing the difficulty:
- Provided that no such notification shall be issued after the expiry of five years from the date of establishment of the University under section 3.
- (2) Every notification issued under sub-section (1) or under any other provisions of this Act shall, as soon as possible after it is issued, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such notification or the Assembly decides that the notification should not be issued, the notification shall thereafter have effect only in such modified form or be of no effect as the case may be, so, however, that any such modification or annulment shall be without prejudice to the modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

*Special mode of  
appointment*

(By order of the Governor)

*A. KRISHNAKUTTY NAIR  
Secretary to Government  
Law Department*

## **Tamil Nadu Government Gazette**

### **Tamil Nadu Acts and Ordinances**

Act No.4 OF 2006

#### ***An Act further to amend the Tamil Nadu Open University Act, 2002***

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-Seventh Year of the Republic of India as follows:-

Tamil Nadu Act 27 of 2002	<p>1 This Act may be called the Tamil Nadu Open University(Amendment) Act, 2006</p> <p>2 In Section 10 of the Tamil Nadu Open University Act, 2002:-</p> <p>(1) In Sub-section (3), for the expression “shall not be eligible for a second term”, the expression “shall be eligible for re-appointment for a further period of three years” shall be substituted;</p> <p>(2) In Sub-section(4), for the expression, “the senior-most Professor of the University shall exercise the powers and perform the current duties of the Vice-Chancellor”, the expression “the Syndicate shall, as soon as possible, make the requisite arrangements for exercising the powers and performing the current duties of the Vice-Chancellor” shall be substituted.</p>	Short title Amendment of Section 10
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#### ***An amendment to the Tamil Nadu Open University Act, 2002***

Tamil Nadu Act 27 of 2002	<p>13 In Section 10 of Tamil Nadu Open University Act, 2002, for sub-section(2) including the proviso thereto, the following sub-sections shall be substituted, namely:-</p> <p>(2) For the purpose of Sub-section(1), the Committee shall consist of-</p> <p>(i) a nominee of the Chancellor, who shall be retired Judge of Supreme Court or any High Court of an eminent educationist;</p> <p>(ii) a nominee of the Government, who shall be a retired serving officer of the State Government not below the rank of Principal Secretary to Government or an eminent educationist; and</p> <p>(iii) a nominee of the Syndicate who shall be an eminent educationist</p> <p>Explanation:- For the purpose of this sub-section, “eminent educationist” means a person</p> <p>(i) who is or has been a Vice-Chancellor of any University established by the State Government or Central Government; or</p> <p>(ii) who is a distinguished academician, with minimum of ten years of experience a Professor in a State or Central University or in both taken together, or</p>	Amendment of Section 10
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(iii) who is or has been a Director or Head of any Institute of national importance;

Provided that the person so nominated shall not be a member of any of the authorities of the University or shall not be connected with the University or any college or any recognized institution of the University

(2-A) A person recommended by the Committee for appointment as Vice-Chancellor shall-

(i) be a distinguished academician with highest level of competence, integrity, morals and institutional commitment;

(ii) possess such educational qualifications and experience as may be specified by the State Government in consultation with the Chancellor by an order published in the Tamil Nadu Government Gazette.

(2-B) This process of nominating members to the Committee by the authority of the University, the Government and the Chancellor shall begin six months before the probable date of occurrence of vacancy in the Office of the Vice-Chancellor and shall be completed four months before the probable date of occurrence of vacancy in the Office of the Vice-Chancellor.

(2-C) The process of preparing the panel of suitable persons for appointment as Vice-Chancellor shall begin at least four months before the probable date of occurrence of the vacancy in office of the Vice-Chancellor.

(2-D) The Committee shall submit its recommendations to the Chancellor within four months from the date of its constitution. If the Committee does not submit the recommendation to the Chancellor within the said period, the Chancellor may grant further time to the Committee to submit its recommendation or take steps to constitute another Committee in accordance with Sub-section (2)".

(By Order of the Governor)

..Sd...

L.JAYASANKARAN  
Secretary to Government  
Law Department