

**THE MOHAN LAL SUKHADIA UNIVERSITY
(AMENDMENT) BILL, 2017**

(To be Introduced in the Rajasthan Legislative Assembly)

A

Bill

Further to amend the Mohan Lal Sukhadia University Act, 1962.

Be it enacted by the Rajasthan State Legislature in the Sixty-eighth Year of the Republic of India, as follows:-

1. **Short title and commencement.-** (1) This Act may be called the Mohan Lal Sukhadia University (Amendment) Act, 2017.
2. It shall come into force at once.
2. **Amendment in section 11, Rajasthan Act No. 18 of 1962.-** For the existing section 11 of the Mohan Lal Sukhadia University Act, 1962 (Act No. 18 of 1962), the following shall be substituted, namely:-
“11. Vice-Chancellor.- (1) The Vice-Chancellor shall be a whole time paid officer of the University.
(2) No person shall be eligible to be appointed as Vice-Chancellor unless he is a distinguished academician having a minimum of ten years experience as Professor in a University or ten years experience in an equivalent position in a reputed research and/or academic administrative organization.
(3) The Vice-Chancellor shall be appointed by the Chancellor in consultation with the State Government from amongst the persons included in the panel recommended by the Search Committee consisting of –
 - (a) One person nominated by the board;
 - (b) One person nominated by the chairman, university grants commission;
 - (c) One person nominated by the chancellor; and
 - (d) One person nominated by the state government,and the Chancellor shall appoint one of these persons to be the Chairman of the Committee.

- (4) An eminent person in the sphere of higher education not connected with the University and its colleges shall only be eligible to be nominated as the member of the Search Committee.
- (5) The Search Committee shall prepare and recommend a panel of not less than three persons and not more than five persons to be appointed as Vice-Chancellor.
- (6) For the purpose of selection of the Vice-Chancellor, the Search Committee shall invite applications from eligible persons through a public notice and while considering the names of persons to be appointed as Vice-Chancellor, the Search Committee shall give proper weightage to academic excellence, exposure to the higher education system in the country and abroad, and adequate experience in academic and administrative governance and record its findings in writing and enclose the same with the panel to be submitted to the Chancellor.
- (7) The term of the office of the Vice-Chancellor shall be three years from the date on which he enters upon his office or until he attains the age of seventy years, whichever is earlier:
Provided that the same person shall be eligible for reappointment for a second term.
- (8) The Vice-Chancellor shall receive such pay and allowances as may be determined by the State Government. In addition to it, he shall be entitled to free furnished residence maintained by the University and such other perquisites as may be prescribed.
- (9) When a permanent vacancy in the office of the Vice-Chancellor occurs by reason of his death, resignation, removal or the expiry of his term of office, it shall be filled by the Chancellor in accordance with sub-section (3), and for so long as it is not so filled, stop-gap arrangement shall be made by him under and in accordance with sub-section
- (10) When a temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, suspension or otherwise or when a stop-gap arrangement is necessary under sub-section (9), the Registrar shall forthwith report the matter to the Chancellor who shall make, on the advice of the State Government, arrangement for the carrying on of the function of the office of the Vice-Chancellor.
- (11) The Vice-Chancellor may at any time relinquish office by submitting, not less than sixty days in advance of the date on which he wishes to be relieved, his resignation to the Chancellor.
- (12) Such resignation shall take effect from the date determined by the Chancellor and conveyed to the Vice-Chancellor.

- (13) Where a person appointed as the Vice-Chancellor was in employment before such appointment in any other college, institution or University, he may continue to contribute to the provident fund of which he was a member in such employment and the University shall contribute to the account of such person in that provident fund.
- (14) Where the Vice-Chancellor had been in his previous employment, a member of any insurance or pension scheme, the University shall make a necessary contribution to such scheme.
- (15) The Vice-Chancellor shall be entitled to travelling and daily allowance at such rates as may be fixed by the Board.
- (16) The Vice-Chancellor shall be entitled to leave as under:-
- (a) leave on full pay at the rate of one day for every eleven days of active service;
 - and
 - (b) leave on half pay at the rate of twenty days for each completed year of service:
- Provided that leave on half pay may be commuted as leave on full pay on production of medical certificate.
- (17) The Vice-Chancellor shall be the principal academic, administrative and executive officer of the University and shall exercise overall supervision and control over the affairs of the University. He shall have all such powers as may be necessary for true observance of the provisions of this Act and Statutes.
- (18) The Vice-Chancellor shall, where immediate action is called for, have power to make an order so as to exercise any power or perform any function which is exercised or performed by any Authority under this Act or the Statutes:
- Provided that such action shall be reported to the Authority as would have in the ordinary course dealt with the matter for approval:
- Provided further that if the action so reported is not approved by such Authority not being the Board, the matter shall be referred to the Board, whose decision shall be final and in case of the Authority being the Board, the matter shall be referred to the Chancellor whose decision shall be final.
- (19) The Vice-Chancellor may, on being satisfied that any action taken or order made by any Authority is not in the interest of the University or beyond the powers of such Authority, require the Authority to review its action or order. In case the Authority refuses or fails to review its action or order within sixty days of the date on which the Vice-Chancellor has so required, the matter may be referred to the Board or to the Chancellor, as the case may be, for final decision.”.

STATEMENT OF OBJECTS AND REASONS

The State Government had given sanction for adoption of the provisions of University Grants Commission Regulations, 2010. Later amendments were made in these Regulations in the Year 2013.

In order to give effect to clause 7.3.0 of the University Grants Commission (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education) (2nd Amendment) Regulations, 2013 regarding experience and selection procedure of Vice-Chancellor, section 11 of the Mohan Lal Sukhadia University Act, 1962 is proposed to be amended.

The Bill seeks to achieve the aforesaid object.

Hence the Bill.

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Minister Incharge.

**EXTRACTS TAKEN FROM THE MOHAN LAL SUKHADIA UNIVERSITY ACT,
1962 (ACT No. 18 of 1962)**

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- 11. Vice-Chancellor.-** (1) The Vice-Chancellor shall be a whole-time paid officer of the University and shall be appointed by the Chancellor in consultation with the State Government upon the recommendation of a Selection Committee consisting of –
- (a) One person nominated by the Board not connected with the University or any college thereof;
 - (b) One person nominated by the Chairman, University Grants Commission;
 - (c) One person nominated by the Chancellor; and
 - (d) One person nominated by the State Government,
- and the Chancellor shall appoint one of these persons to be the Chairman of the Committee.
- (2) The term of the office of the Vice-Chancellor shall be three years from the date on which he or she enters upon his or her office or until he or she attains the age of seventy years, whichever is earlier:
- Provided that the same person shall be eligible for reappointment for a second term.
- (3) The Vice-Chancellor shall receive such pay and allowances as may be determined by the State Government. In addition to it, he or she shall be entitled to free furnished residence maintained by the University and such other perquisites as may be prescribed.
- (4) When a permanent vacancy in the office of the Vice-Chancellor occurs by reason of his or her death, resignation, removal or the expiry of his or her term of office, it shall be filled by the Chancellor in accordance with sub-section (1), and for so long as it is not so filled, stop-gap arrangement shall be made by him or her under and in accordance with sub-section (5).
- (5) When a temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, suspension or otherwise or when a stop-gap arrangement is necessary under sub-section (4), the Registrar shall forthwith report the matter to the Chancellor who shall make, on the advice of the State Government, arrangement for the carrying on of the function of the office of the Vice-Chancellor.

- (6) The Vice-Chancellor may at any time relinquish office by submitting, not less than sixty days in advance of the date on which he or she wishes to be relieved, his or her resignation to the Chancellor.
- (7) Such resignation shall take effect from the date determined by the Chancellor and conveyed to the Vice-Chancellor.
- (8) Where a person appointed as the Vice-Chancellor was in employment before such appointment in any other college, institution or University, he or she may continue to contribute to the provident fund of which he or she was a member in such employment and the University shall contribute to the account of such person in that provident fund.
- (9) Where the Vice-Chancellor had been in his or her previous employment, a member of any insurance or pension scheme, the University shall make a necessary contribution to such scheme.
- (10) The Vice-Chancellor shall be entitled to travelling and daily allowance at such rates as may be fixed by the Board.
- (11) The Vice-Chancellor shall be entitled to leave as under:-
 - (a) leave on full pay at the rate of one day for every eleven days of active service;
and
 - (b) leave on half pay at the rate of twenty days for each completed year of service:
Provided that leave on half pay may be commuted as leave on full pay on production of medical certificate.

Bill No. 16 of 2017

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(AMENDMENT) BILL, 2017**

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RAJASTHAN LEGISLATIVE ASSEMBLY

A

Bill

further to amend the Mohan Lal Sukhadia University Act, 1962.

(To be introduced in the Rajasthan Legislative Assembly)

**Prithvi Raj,
Secretary.**

(Kiran Maheshwari, Minister-Incharge)