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PART - IV

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 1st April, 2005 is hereby published for general information.

S. S. PARMAR,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department,

GUJARAT ACT NO. 24 OF 2005.

(First published, after having received the assent of the Governor in the
"Gujarat Government Gazette", on the 1st April, 2005).

AN ACT

to establish and incorporate a teaching and non-affiliating University for imparting education in the related fields of the architecture, design, art, environmental planning and technology in the State of Gujarat, to be known as the Centre for Environmental Planning and Technology University, Ahmedabad and for the matters connected therewith and incidental thereto.

WHEREAS there exist the Centre for Environmental Planning and Technology Trust and the Centre for Environmental Planning and Technology Society;

AND WHEREAS the said Trust runs four institutions viz. School of Architecture, School of Planning, School of Building Science and Technology and School of Interior Design;

AND WHEREAS the said institutions run by the Centre for Environmental Planning and Technology Trust have been affiliated to the Hemachandracharya North Gujarat University;

AND WHEREAS in the interest of the education and the said institutions it is considered necessary to establish and constitute a teaching University in the related fields of the architecture, design, Environmental Planning and Technology ;

It is hereby enacted in the Fifty- sixth Year of the Republic of India as follows:-

CHAPTER I PRELIMINARY

Short title,
extent and
commencement.

1. (1) This Act may be called the Centre for Environmental Planning and Technology University Act, 2005.

(2) It extends to the whole of the State of Gujarat.

(3) This section shall come into force at once and the remaining provisions shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint: and different dates may be appointed for different provisions and any reference in any provision to the date of commencement of this Act shall be construed as the reference to the date of coming into force of that provision.

Definitions.

2. In this Act, unless the context otherwise requires,-

- (a) "Academic and Research Council" means the Academic and Research Council constituted under section 20;
- (b) "appointed date" means the date on which the Act shall come into force;
- (c) "Board" means the Board of Management of the University constituted under section 16;
- (d) "Chairman" means the Chairman of the University;
- (e) "Dean" means the Dean of the Faculty appointed under section 12;
- (f) "Director" means the Director of the University appointed under section 10;
- (g) "Executive Council" means the Executive Council constituted under section 19;
- (h) "Finance and Development Committee" means Finance and Development Committee constituted under section 21;
- (i) "Governing Body" means the Governing Body of the University constituted under section 14;

- (j) "Institutions" means School of Architecture, School of Planning, School of Building Science and Technology and School of Interior Design;
- (k) "prescribed" means prescribed by the regulations;
- (l) "President" means the President appointed under section 9;
- (m) "Registrar" means Registrar of the University appointed under section 11;
- (n) "Regulations" means the regulations of the University made under section 36;
- (o) "CEPT Society" means the Centre for Environmental Planning and Technology Society, Ahmedabad, registered under the Societies Registration Act, 1860;
- (p) "CEPT Trust" means the Centre for Environmental Planning and Technology Trust, Ahmedabad registered under the Bombay Public Trusts Act, 1950;
- (q) "University" means the Centre for Environmental Planning and Technology University established and incorporated under section 3.

XXI of 1860.

Bom. 29 of 1950.

CHAPTER II THE UNIVERSITY

3. (1) (a) There shall be established and constituted in and for the State of Gujarat a University to be known as "the Centre for Environmental Planning and Technology University, Ahmedabad."

Establishment
and
incorporation
of University.

(b) The first Chairman, the first President, the first Director, the first Deans, the first Registrar of the University and the first Members of the Board, the Executive Council, the Academic and Research Council, the Finance and Development Committee and all other persons who may hereafter become such officers or members, so long as they continue to hold such office or membership are hereby constituted a body corporate by the name of the Centre for Environmental Planning and Technology University (hereinafter in this Act referred to as "the CEPT University").

(2) The University shall have perpetual succession and a common seal, and shall sue and be sued by the said name.

(3) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may vest in or be acquired it for the purposes of the University, to raise loans on the securities of its assets and to contract and do all other things necessary for the purposes of this Act:

Provided that the power to raise any such loan shall be exercised after obtaining previous permission of the State Government.

(4) The headquarters of the University shall be at Ahmedabad, Gujarat.

4. The objects of the University, in general, shall be to conduct educational, training, distance and continuing education programmes at diploma and degree levels and at post-graduate levels including doctoral level and carry on research and consultancy in the areas of developed and natural environment for the human society and related disciplines including arts, science and culture and in particular, shall be,-

Objects of
University

- (i) to establish a Centre of Excellence in its areas of relevance and attract the best talents at national and international level;
- (ii) to undertake educational, research and development activities and to become a Resource Centre in the service of the society and the profession by developing data-bases and reference in design, planning, technology, services and management and develop curricula, syllabi and all related facilities for the conduct of the same, and for its recognition and approval from National and International Accreditation Boards or Agencies for the purposes of employment or further education;
- (iii) to establish close linkage with profession and industry at the national and international level and to make teaching, training, and research at the University relevant to the needs of the society;
- (iv) to impart the students holistic value based education and concerns about societal issues in its areas of relevance and equip them to deal successfully with a variety of challenges and opportunities;
- (v) to develop physical facilities and services in terms of buildings, equipments, materials and support systems for effective teaching of courses and programmes, and for conduct of research and all other related activities;
- (vi) to raise financial resources by contributions, donations, grants or loans from Government agencies, industries and private individuals, for the effective functioning of the educational, research, publications and related functions of the University;
- (vii) to establish campuses to pursue the objects of the University within or without the country;
- (viii) to conduct distance education through various media including electronic media and virtual class- rooms;
- (ix) to undertake publication activities to document and disseminate course material, research findings and other related matters pertaining to the developed and natural environment;
- (x) to develop collaborative programmes with the like-minded institutions within and without the country having similar interests in the fields of research, course development, sharing of faculties, exchange of faculties and students and such other fields.

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

5. (1) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma or other academic distinction or course of study on the ground of sex, race, creed, caste, class, place of birth, religious belief, profession or political or other opinion.

(2) It shall not be lawful for the University to impose on any person any test whatsoever relating to sex, race, creed, caste, class, place of birth, religious belief or profession or political or other opinion in order to entitle him to be admitted as a teacher or a student or to hold any office or post in the University or to qualify for any degree, diploma or other academic distinction or to enjoy or exercise any privileges of the University or any benefaction thereof.

Powers and functions of University.

6. (1) Subject to the provisions of this Act, the University shall exercise the following powers and perform the following duties, namely :-

- (i) to administer and manage the University and such campuses, within or without the country for research, education, training and instruction as are necessary for the furtherance of the objects of the University;

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- (ii) to conduct and to prescribe course and curricula and provide for flexibility in the education system and delivery methodologies including electronic and distance learning;
- (iii) to confer degrees, diplomas or grant certificates and other academic distinctions or titles on persons as the University may determine, and to withdraw or cancel any such degree, diploma, certificate or other academic distinction or title in the manner prescribed by the regulations;
- (iv) to confer honorary degrees or other distinctions in the manner prescribed by the regulations;
- (v) to establish specialised study centres or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;
- (vi) to collaborate or associate with, advise and to develop and maintain linkages 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 teachers and scholars and generally in such manner as may be conducive to their common objects;
- (vii) to fix, demand and receive or recover fees and such other charges in accordance with guidelines issued by the State Government, the University Grants Commission and the All India Council for Technical Education;
- (viii) to prescribe qualifications for the admission to the courses offered by the University and admit the students as per the guidelines issued by the State Government in this regard for the courses offered by the University, in such manner as may be prescribed by the regulations;
- (ix) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto;
- (x) to supervise and control the residence and regulate the discipline amongst the students of the University and to make arrangements for promoting their health, general welfare and cultural activities;
- (xi) to appoint persons as professors, associate professors, assistant professors, readers, lecturers or otherwise as teachers and researchers of the University;
- (xii) to regulate and enforce discipline amongst the employees of the University and to provide for such disciplinary measures as may be prescribed by the regulations;
- (xiii) to receive funds from industry, national and international organisations and from any other source as gifts, donations, benefactions, bequests and by transfers of movable and immovable properties under the intimation of the State Government;
- (xiv) to purchase or to take on lease or accept as gifts or otherwise any land or building or works which may be necessary or convenient for the purposes of the University on such terms and conditions as it may think fit and proper, and to construct or alter and maintain any such building or works;
- (xv) to sell, exchange, lease or otherwise dispose of movable or immovable property of the University, on such terms as it may think fit and proper without prejudice to the interests and activities of the University;

Provided that the University shall not sell, exchange, lease or otherwise dispose of movable or immovable property granted by the State Government without prior approval of the State Government or without compliance of the terms and conditions on which the State Government has given approval;

- (xvi) to raise and borrow money on bond, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities upon such terms and conditions as it may think fit and to pay out of the funds of the University all expenses incidental to the raising of money, and to repay and redeem money borrowed :

Provided that the such power shall be exercised after obtaining previous approval of the State Government and as per the directions, if any, of the Central Government in this regard;

- (xvii) to invest the funds of the University in or upon such securities and transpose any investment from time to time in such manner as may be prescribed by the regulations;
- (xviii) to delegate all or any of its powers to the President or the Director or any committee or sub-committee constituted by any authority of the University or to any one or more members of the Board of the University or to any officer of the University; and
- (xix) to do all such other acts and things as the University may consider necessary, conducive or incidental to the attainment or enlargement of all or any of the objects of the University.
- (2) The University shall function as a non-affiliating University established under this Act.

CHAPTER III

OFFICERS OF UNIVERSITY.

Officers of
University.

7. The following shall be the officers of the University, namely;-
- the Chairman,
 - the President,
 - the Director,
 - the Deans,
 - the Registrar, and
 - such other officers in the service of the University, as may be declared by the regulations, to be the officers of the University.

Chairman
of
University.

8. (1) The Chairman of the Board of Trustees of the CEPT Trust shall be the Chairman of the University.
- (2) The Chairman shall, by virtue of his office, be the head of the University and shall, when present, preside over at the meetings of the Board and at any convocation of the University and in his absence, the President shall preside at such meetings of the Board and convocation.

(3) The Chairman shall have, subject to the provisions of this Act, power to cause an inspection or review, to be made by such person or persons as he may direct, of the University, its buildings, libraries, equipments and systems and processes and of any institution or center or campuses maintained by the University and also of the examinations, teaching, research and other work conducted or done by the University and cause an inquiry to be made in the like manner in respect of any matter connected with the administration and finance of the University.

(4) The Chairman shall exercise such other powers and perform such other duties as may be assigned to him by this Act or under the regulations.

9. (1) The President shall be a person of eminence having distinguished himself in the areas of design, planning, environment and technology. He shall be a person of vision and subscribe to the objectives and philosophy of the University and shall be interested in academics.

President.

(2) The President shall be appointed by the Chairman :

Provided that until the first President is appointed by the Chairman, the first Director shall be the President of the University.

(3) The President shall hold office for a term of five years and shall be eligible for re-appointment to that office for a further term of five years.

(4) The Chairman shall appoint a Committee consisting of three members, out of whom -

- (i) one shall be the Chairman of the CEPT Trust;
- (ii) one shall be the expert from academics in the field of environmental planning and technology ; and
- (iii) one shall be the expert from the profession or industry in the field of environment and technology;

who shall prepare a panel of three suitable persons suitably ranked for the office of the President. The Chairman shall select one person from the panel and appoint him as the President of the University. The Chairman shall have the authority to ask the panel for additional names, if it does not find any one from the panel of names submitted as suitable for the office of the President.

(5) The President shall be the Chairman of,-

- (i) the Executive Council;
- (ii) the Finance and Development Committee.

(6) The President shall preside over the convocation of the University in the absence of the Chairman.

(7) The President shall appoint the Deans of various Faculties of the University in consultation with the Director.

(8) The President shall carry out such other functions as may be assigned to him by the Chairman or the Board.

10. (1) The Director shall be appointed by the Board from amongst the Deans by rotation.

Director.

(2) The term of office of the Director shall be for a period of five years.

- (3) The Director of the CEPT Trust shall be the first Director of the University.
- (4) The emoluments and other terms and conditions of service of the Director shall be such as may be prescribed by the regulations :

Provided that the Chairman shall determine the terms and conditions of service of the Director until it is prescribed by the regulations.

- (5) The Director shall, -
- (i) exercise general supervision of the management and control the affairs of the University;
 - (ii) ensure implementation of the decisions of the authorities of the University;
 - (iii) be the Chairman of the Academic and Research Council;
 - (iv) be responsible for imparting of instructions and maintenance of discipline in the University; and
 - (v) exercise such other powers and perform such other duties as may be assigned to him under this Act or the regulations or as may be delegated to him by the Board or the President, as the case may be.

**Registrar
and his
powers
and
duties.**

11. (1) The Registrar shall be appointed by the President, in such manner and on such terms and conditions as may be prescribed by the regulations, and shall be the whole time officer of the University.

(2) The Registrar shall exercise the following powers and perform the following duties, namely:-

- (i) he shall be responsible for the custody of records, common seal, the funds of the University and such other property of the University;
- (ii) he shall place before the Board and other authorities all such information as may be necessary for transaction of their business;
- (iii) he shall be responsible to the Governing Body, the Board, the President and the Director for the proper discharge of his functions;
- (iv) he shall, subject to the superintendence of the Director, be responsible for the administration and services of the University and make all other arrangements necessary for conducting the examinations and be responsible for the execution of all processes connected therewith;
- (v) he shall attest and execute all the documents on behalf of the University; and
- (vi) he shall exercise such other powers and perform such other duties as may be assigned to him under this Act, the regulations or as may be delegated to him by the Board or the Director.

Deans.

12. (1) The Deans shall be appointed by the President in consultation with the Director, from amongst the Faculties of the University.

(2) The term of office of the Dean shall be for a period of three years.

(3) The Deans shall assist the Director in managing the academic and other affairs of the University and shall exercise such powers and discharge such duties as may be prescribed by the regulations or as may be entrusted by the Director.

CHAPTER IV
AUTHORITIES OF UNIVERSITY.

13. The following shall be the authorities of the University, namely :-
- (a) the Governing Body,
 - (b) the Board,
 - (c) the Executive Council,
 - (d) the Academic and Research Council,
 - (e) the Finance and Development Committee, and
 - (f) such other authority, as may be declared by the regulations, to be the authority of the University.
14. (1) The Governing Body shall consist of those members who are from time to time the trustees of the CEPT Trust.
- (2) The Chairman shall be the Chairman of the Governing Body.
- (3) The Registrar shall be the non-member Secretary of the Governing Body.
15. (1) Subject to the provisions of this Act, the Governing Body shall be responsible for framing the broad policy in relation to matters of the University.
- (2) The Governing Body shall have the power to obtain from the Board of Management the annual accounts, audited report and the annual report of the University.
- (3) Where the Governing Body desires any information or explanation or any other thing in relation to the affairs of the University, it shall be lawful for it to require information, explanation or any other thing from the concerned authority of the University and may give directions to authorities of the University as it thinks fit.
16. (1) The Board of Management of the University shall consist of the following members, namely;-
- (i) the Chairman of the Governing Body;
 - (ii) the President;
 - (iii) the Director;
 - (iv) one expert academician to be nominated by the Chairman in consultation with the President;
 - (v) one representative of the profession or industries to be nominated by the Chairman in consultation with the President;
 - (vi) one eminent personality from the fields of art, literature, humanity and science to be nominated by the Chairman in consultation with the President;
 - (vii) one Dean of the University by rotation to be nominated by the President in consultation with the Director;
 - (viii) one person to be nominated by the University Grants Commission;
 - (ix) one person to be nominated by the All India Council of Technical Education (AICTE);
 - (x) the Secretary to Government, Higher and Technical Education, Government of Gujarat;
 - (xi) the Secretary to Government, Urban Development and Urban Housing Department, Government of Gujarat;
 - (xii) the Director of Technical Education, Gujarat State.

Authorities
of
University.

Governing
Body.

Powers
and
functions
of
Governing
Body.

Constitution
of Board of
Management
of University.

- (2) The Chairman of the Governing Body shall be the Chairman of the Board.
- (3) The Registrar shall be the non-Member Secretary of the Board.

Powers and functions of Board of Management.

17. (1) Subject to the provisions of this Act, the Board shall be responsible for the general superintendence, direction and control of the affairs of the University and shall exercise the powers of the University, and may delegate such power to the Executive Council and the President for more efficient management of the University.

(2) The Board shall have powers to review the acts of the Executive Council, Academic and Research Council and the Finance and Development Committee and other authorities.

(3) Without prejudice to the provisions of sub-sections (1) and (2), the Board shall have the following powers, namely:-

- (i) to take decisions on question of policy relating to the administration and working of the University;
- (ii) to institute courses of study at the University;
- (iii) to make regulations;
- (iv) to constitute Executive Council and Academic and Research Council;
- (v) to constitute Finance and Development Committee;
- (vi) to consider and approve the annual report and the annual accounts of the University;
- (vii) to invest moneys and funds of the University and take decisions on the recommendations of the Finance and Development Committee;
- (viii) to create or abolish posts of teachers, officers and other employees of the University;
- (ix) to appoint such committees as it considers necessary for the exercise of its powers and the performance of its duties under this Act;
- (x) to appoint members of the Committees subject to the regulations made under this Act;
- (xi) to delegate any of its powers to the Executive Council, President, Director, Deans, Registrar, or any other officer or authority of the University or to a committee appointed by it; and
- (xii) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or under the regulations for achieving the objects of the University.

18. (1) The term of office of the nominated member of the Board shall be for a period of three years.

(2) An *ex-officio* member shall continue so long as he holds the office by virtue of which he is such member.

(3) When a person becomes a member of the Board by virtue of his office he shall cease to be such member, if he ceases to hold that office.

(4) When a person is nominated as a member of the Board, he shall cease to be such member if his nomination as such is withdrawn by the nominating body or person, as the case may be.

(5) A member of the Board shall cease to be a member, if he, -

- (a) tenders his resignation and such resignation is accepted; or
- (b) becomes of unsound mind and stands so declared by a competent court; or
- (c) becomes undischarged insolvent; or
- (d) has been convicted of an offence involving moral turpitude.

Term of office and vacancies amongst members of Board.

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(6) A member of the Board may, by writing addressed to the Chairman, resign his office and such resignation shall take effect on the date it is accepted by the Chairman.

(7) Any vacancy in the Board shall be filled in by nomination of a person by the relevant authority and the person so nominated shall hold office for so long as the member in whose place he is nominated would have held office had the vacancy not occurred.

(8) The member shall be eligible for re-nomination for a further term of three years.

19. (1) The Executive Council shall consist of the following members, namely :-

- (i) the President of the University who shall be the Chairman of the Executive Council;
- (ii) the Director;
- (iii) the Deans.

**Constitution
of Executive
Council, its
powers and
duties.**

(2) The Registrar shall be a non-member Secretary of the Executive Council.

(3) Subject to the provision of this Act and the regulations, the Executive Council shall have the following powers and perform the following duties, namely :-

- (i) to administer and manage the University including various center, campus and cell of the University;
- (ii) to finalise and implement academic calendar to include examination schedules, holidays, vacations and such other matters;
- (iii) to regulate expenditure, management of finance including grants and such other matters;
- (iv) to create and maintain infrastructure facilities and amenities of the University;
- (v) to award fellowships, scholarships, prizes, medals and such other awards;
- (vi) to ensure discipline and make provisions for welfare of students, officers and employees, overall security measures, student activities, campus development, campus maintenance and allied matters;
- (vii) to plan, encourage and monitor execution of research projects, consultancy activities, conduct of seminars, training programmes and workshops;
- (viii) any other powers delegated by the Board.

(4) The term of the office of the members of the Executive Council shall be for a period of three years.

20. (1) The Academic and Research Council of the University shall consist of the following members, namely :-

- (i) the Director of the University, who shall be the Chairman;
- (ii) the Deans;
- (iii) the Heads of Departments of all post-graduate programmes;
- (iv) one expert academician from each discipline of the University to be nominated by the Board;
- (v) one expert professional from each discipline to be nominated by the Executive Council.

**Constitution
of Academic
and
Research
Council, its
powers and
duties.**

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- (2) The Registrar shall be the non-member Secretary of the Council.
- (3) The term of office of the members shall be for a period of three years.
- (4) The Academic and Research Council of the University shall have the following powers and perform the following duties, namely :-
 - (i) to develop perspective plan for academic development of the University;
 - (ii) to develop academic and research policies of the University and to exercise control and have superintendence over the maintenance and improvement of standards of instructions, education and evaluation;
 - (iii) to approve new programmes and to approve changes or modifications in existing programmes;
 - (iv) to receive reports of the Boards of Studies and make suitable recommendations in academic matters of programmes;
 - (v) to recommend to the Boards of Studies, the Deans and the persons in charge of various academic programmes to make suitable changes in the programmes including methods of assessment;
 - (vi) to initiate or approve research programmes including collaborative research;
 - (vii) to initiate or approve collaboration with other educational institutions;
 - (viii) to encourage and develop joint inter-disciplinary programmes;
 - (ix) to exercise such other powers and perform such other duties as may be conferred upon it by the regulations.

**Constitution
of Finance
and
Development
Committee,
its powers and
duties.**

21. (1) The Finance and Development Committee shall consist of the following members, namely :-
 - (i) the President shall be the Chairman of the Committee;
 - (ii) the Director;
 - (iii) the Deans;
 - (iv) one member of the Board to be nominated by the Chairman in consultation with the President;
 - (v) one expert to be nominated by the Chairman in consultation with the President;
- (2) The Registrar shall be the non-member Secretary of the Committee.
- (3) The term of office of the members other than the *ex-officio* member shall be for a period of three years.
- (4) The Finance and Development Committee shall exercise the following powers and perform the following duties, namely:-
 - (i) to examine the annual accounts and annual budget estimates of the University and advise the Board thereon;
 - (ii) to review the financial position of the University from time to time;
 - (iii) to make recommendation to the Board on financial policy matters of the University;
 - (iv) to make recommendations to the Board on proposals involving raising of funds, receipts and expenditure;
 - (v) to lay-down guidelines for investment of surplus funds;
 - (vi) to make recommendations to the Board on all proposals involving expenditure for which no provision has been made in the budget or for which expenditure in excess of the amount provided in the budget has been incurred;

- (vii) to examine all proposals relating to revision of pay-scales, up-gradation of the scale and those items which are not included in the budget, before they are placed before the Board;
- (viii) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by the regulations;
- (ix) to consider and approve plans of development of the University;

CHAPTER V FINANCE

22. (1) The University shall establish a fund to be called the University Fund.
(2) The following shall form part of, or be paid into, the University Fund :-
- (i) all moneys received from the CEPT Trust;
 - (ii) income of the University from all sources including income from fees and charges;
 - (iii) all contributions or grants received from the State Government, the Central Government, the All India Council of Technical Education, University Grants Commission or any other agency;
 - (iv) loans, gifts, donations, endowments, benefactions, bequests or transfers;
 - (v) all moneys received by the University from the collaborating industry in terms of the provisions of the Memorandum of Understanding between the University and the industry for establishment of sponsored chairs, fellowships and infrastructure facilities of the University; and
 - (vi) all monies received by the University in any other manner or from any other source;
 - (vii) any sum borrowed from the banks with the permission of the State Government.

**Funds of
University.**

(3) All funds of the University shall be deposited in such banks or invested in such manner as the Board may decide on recommendation of the Finance and Development Committee.

(4) The funds of the University shall be applied towards the expenses of the University including expenses incurred in the exercise of its powers and discharge of its functions in such manner, as may be prescribed by the regulations.

23. The CEPT Trust shall place funds at the disposal of the University to be called the Permanent Endowment Fund of a sum of rupees one crore or a sum required for meeting the full operational expenditure of the University for three years, in long term interest bearing securities issued or guaranteed by the Central Government or the State Government.

**Permanent
Endowment
Fund.**

CHAPTER VI ACCOUNTS, AUDIT AND ANNUAL REPORT

24. (1) The University shall maintain proper accounts and other relevant records, and prepare an annual statement of accounts, including the income and expenditure of account and the balance sheet, in such form and in such manner as may be prescribed by the regulations.

**Accounts
and audit.**

(2) The accounts of the University shall be audited every year and in any case within six months from the date of closing of the financial year by the auditor who shall be a Chartered Accountant as defined in the Chartered Accountant Act, 1949 or a firm of Chartered Accountants appointed by the Board.

(3) The accounts of the University certified by the auditor or the firm so appointed or any other person authorised in this behalf together with the audit report thereon shall be placed before the Board and the Board may issue such instructions to such authority of the University in respect thereof as it deems fit and the authority shall comply with such instructions.

(4) The University shall adopt a proper system of internal checks and balances and control in respect of finance, accounts and audit as may be prescribed by the regulations.

(5) The accounts of the University shall be audited by an internal auditor who shall be appointed by the Board to ensure concurrent audit of all books of accounts, and such periodic internal audit reports shall be placed before the Board for its consideration.

(6) The accounts relating to grant-in-aid instituting together with the audit report shall be placed before the Board and shall also be submitted to the State Government.

○ → (7) The State Government may conduct the test audit or full audit of the accounts of the University by the auditors appointed by the State Government, when it requires so to do.

Annual
report.

25. (1) The University shall prepare each year the annual report for the financial year containing such particulars as the Board may specify and shall be submitted to the Board on or before such date as may be prescribed by the regulations. The Board shall consider such report and may pass resolutions thereon and the Executive Council shall take such action in accordance with the resolution. The action taken by the Executive Council and if no action is taken, the reasons for taking no action shall be communicated to the Board at its meeting.

(2) The copy of the annual report alongwith the resolution of the Board thereon shall be submitted to the State Government.

CHAPTER VII SUPPLEMENTARY PROVISIONS

Dismissal,
removal,
reduction
and
termination
of service of
staff of
University.

26. (1) No member of the teaching, other academic and non-teaching staff of the University shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(2) An appeal from an order of dismissal, removal or reduction under sub-section (1) or of termination shall lie to the President within ninety days from the date of the communication of such order and the decision of the President in such appeal shall be final.

Returns
and infor-
mation.

27. The University shall furnish to the State Government, the University Grants Commission and other statutory authorities such reports, returns, statements and other information as may be required by them from time to time.

28. (1) The State Government shall have power to issue directions to the University, from time to time, as may be required for compliance of the provisions of this Act and the regulations.

Power of State Government to issue directions.

(2) Without prejudice to the provisions of sub-section (1), the State Government may issue directions, when it requires, in regard to the following matters, namely :-

- (i) fees and charges;
- (ii) raising of funds and borrowing money;
- (iii) creation of posts and appointments;
- (iv) revision of pay-scales and up-gradation of scales.

29. No act or proceeding of the Board or any authority of the University or any committee constituted under this Act or by the regulations shall be invalidated merely by reason of, -

Acts and proceedings not to be invalidated by vacancies.

- (i) any vacancy in its membership or any defect in the constitution thereof, or
- (ii) any irregularities in its procedure not affecting merits of the case.

30. No suit or other legal proceedings shall be instituted against or no damages or compensation shall be claimed from, the University, the Director, the authorities or officers of the University or any other person in respect of anything which is done in good faith or purporting to be done in pursuance of this Act or regulations made thereunder.

Protection of action taken in good faith.

31. Every officer, teacher and other employees of the University shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Officers and employees to be public servants.

45 of 1860.

Explanation.- For the purposes of this section, any person, who is appointed by the University for a specified period or for a specified work of the University or, who receives any remuneration by way of compensatory allowance or fee for any work done from the University Fund, shall be deemed to an officer or employee of the University while he is performing and in relation to all matters relating to the performance of the duties and functions connected with such appointment of work.

22 of 1986.

32. Notwithstanding anything contained in section 41 of the Hemachandracharya North Gujarat University Act, 1986, the rights conferred on the institution to the Hemachandracharya North Gujarat University as a College are hereby withdrawn as if it were an order of the State Government under sub-section (4) of the said section 41.

Affiliation.

33. Any student of such institutions who immediately before the date of commencement of this Act studying or was eligible for any examination of the Hemachandracharya North Gujarat University shall be transferred to the university and permitted to complete his course in preparation of such examination and the University shall provide for such period and in such manner as may be prescribed by the regulations for the instructions, teaching, training and examinations of such students in accordance with the courses of study of the Hemachandracharya North Gujarat University.

Transfer and completion of courses of students of institutions of CEPT.

34. If any difficulty arising in giving the effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty :

Removal of difficulties at the commencement.

Provided that no such order shall be made after the expiry of the period of three years from the commencement of this Act.

35. Save as otherwise provided in this Act, when any vacancy occurs in the office of a member (other than an *ex-officio* member) of any authority or other body of the University before the expiry of the term of office of such member, the vacancy shall be filled up, as soon conveniently as may be, by nomination, appointment or, as the case may be, co-option of a

Filling up of casual vacancies.

member who shall hold office so long only as the member in whose place he has been nominated, appointed or co-opted, would have held it, if the vacancy had not occurred.

CHAPTER VIII REGULATIONS OF UNIVERSITY

Regulations. 36. (1) Subject to the provisions of this Act, the Board shall have power to make regulations consistent with the provisions of this Act to provide for the administration and management of the affairs of the University.

(2) In particular and without prejudice to the generality of the foregoing powers, such regulations may provide for all or any of the following matters, namely :-

- (i) the powers and functions to be exercised and discharged by the Chairman of the Board and the President;
- (ii) the constitution, powers and duties of the authorities, bodies and other committees of the University established under this Act, the qualifications and disqualifications for membership of such authorities, bodies and other committees, term of office of the membership thereof and other matters connected therewith;
- (iii) the degrees, diplomas, certificates and other academic distinctions and titles which may be conferred or granted by the University and withdrawal or cancellation of any such degrees, diplomas, certificates and other academic distinctions and titles and the requirements thereof;
- (iv) the academic programmes, collaboration with universities and collaborative programmes, , setting up centres and campuses within and without the country, distance education, research, consultancy, training and continuing education;
- (v) the creation of posts of Professors, Associate Professors, Assistant Professors, Readers, Lecturers, Researchers or equivalent academic designations or posts, officers and employees of the University, and the appointment of persons to such posts including the qualifications requisite therefore;
- (vi) the fees and other charges which may be paid to the University for the courses, training, facilities and services provided by it;
- (vii) the preparation of budget estimates and maintenance of accounts;
- (viii) the terms and conditions of appointments, salaries and allowances, contractual services, rules of discipline and other conditions of the service of the President, the Director and other officers, teachers and employees of the University;
- (ix) the powers and duties of the President, the Director and other officers, teachers and employees of the University;
- (x) the matters relating to discipline of students, hostels and halls of residence including control thereof;
- (xi) constitution of pension and provident fund;
- (xii) all other matters which is to be or may be prescribed by this Act and the regulations.

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

(4) Any rescission or modification so made by the State Legislature shall be published in *Official Gazette*, and shall thereupon take effect.

CHAPTER IX
TRANSITORY PROVISIONS

37. Notwithstanding anything contained in section 9, a person who holds the post of Director of the Centre for Environmental Planning and Technology Trust immediately before the appointed date shall be the first President.

Appointment of first President.

38. Notwithstanding anything contained in section 10, the first Director shall be appointed by the President.

Appointment of first Director.

39. Notwithstanding anything contained in this Act,-

Transitory provisions for first Board of Management, first Executive Council, first Academic and Research Council, first Finance and Development Committee, and first Registrar.

(i) the Governing Council of the Centre for Environmental Planning and Technology Trust functioning immediately before the date of the commencement of this Act, shall be deemed to be the first Board of Management of the University and shall function as Board until such Board is constituted under this Act;

(ii) the Executive Council of the Centre for Environmental Planning and Technology Trust functioning immediately before the appointed date, shall be deemed to be the first Executive Council of the University and shall function as Executive Council until such Council is constituted under this Act;

(iii) the Academic and Research Council of the Centre for Environmental Planning and Technology Trust functioning immediately before the appointed date, shall be deemed to be the first Academic and Research Council of the University and shall function as Academic and Research Council until such Council is constituted under this Act;

(iv) the Finance and Development Committee of the Centre for Environmental Planning and Technology Trust functioning immediately before the appointed date, shall be deemed to be the first Finance and Development Committee of the University and shall function as Finance and Development Committee until such Committee is constituted under this Act;

(v) the Deputy Registrar of the Centre for Environmental Planning and Technology Trust functioning immediately before the date of the commencement of this Act, shall be deemed to be the first Registrar of the University and shall function as the Registrar of the University until the Registrar is appointed under this Act;

(vi) the existing regulations of the Centre for Environmental Planning and Technology Trust shall, in so far as they are not inconsistent with the provisions of this Act, shall apply till regulations are made under this Act.

Transitory provisions for officers and employees.

40. (1) All officers and employees employed in the existing CEPT Trust immediately before the appointed day shall, subject to the provisions of this Act, be deemed to be the officers and employees of the University and shall exercise such power and perform such duties as are conferred upon it by or under this Act.

(2) They shall receive salaries and allowances and be subject to the same conditions of service to which they were entitled or subject to immediately before the commencement of this Act until any other provisions are made in accordance with this Act :

Provided that the conditions of service applicable immediately before the appointed day to any officer or employee shall not be varied to his disadvantage except with the previous approval of the State Government.

(3) The teachers, officers and employees of the University referred to in sub-section (1) who are covered under the pensions and provident fund scheme of the State Government shall be deemed to be continued to be governed by the said scheme of the State Government.