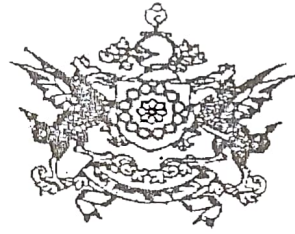


SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY

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Gangtok, Wednesday, 15th November, 1995. No. 184.

GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK.

No. 9/LD/1995

Dated 30th October, 1995.

Notification

The following Act of the Sikkim Legislative Assembly Secretariat having received assent of the Governor on 11th day of October, 1995 is hereby published for general information:-

SIKKIM-MANIPAL UNIVERSITY
OF
HEALTH, MEDICAL
AND
TECHNOLOGICAL SCIENCES ACT, 1995

(ACT NO. 9 OF 1995)

SIKKIM-MANIPAL UNIVERSITY OF HEALTH,
MEDICAL AND TECHNOLOGICAL SCIENCES ACT, 1995
(ACT NO. 9 OF 1995)

AN
ACT

to establish and incorporate the Sikkim-Manipal University of Health, Medical and Technological Sciences at Sikkim.

WHEREAS the Government of Sikkim, being desirous of improving the educational opportunities and health services in the State of Sikkim, entered into an agreement dated the 12th day of March, 1992 for collaboration with the Manipal Education and Medical Group, Manipal, a registered Trust, which has wide and accumulated experience in establishing and running various educational institutions of high standard in the State of Karnataka and else where ;

AND WHEREAS the purpose of the collaboration was to establish an Institute of medical sciences for medical, dental, nursing, pharmacy and other allied health training at the under-graduate, graduate and post-graduate levels and establish a referral teaching hospital ;

AND WHEREAS pursuant to the terms of the agreement aforementioned, the said Group or its successor known as 'Manipal Pai Foundation' , a registered Trust has established or is engaged in the establishing of several educational institutes in the State of Sikkim ;

AND WHEREAS in furtherance of the above objects and to manage the said Institute, rules have been framed by the said Trust providing for constitution of different authorities and other matters relating to the University ;

AND WHEREAS the Manipal Pai Foundation has requested the State Government to establish the Sikkim-Manipal University of Health, Medical and Technological Sciences on the lines of the rules of the Trust to carry out its objects and functions effectually.

AND WHEREAS it is considered necessary to encourage the establishment by the Manipal Pai Foundation of such Institutes of high standards in the State of Sikkim ;

AND WHEREAS it is deemed expedient therefore to establish the Sikkim-Manipal University of Health, Medical and Technological Sciences for the purposes hereinafter appearing ;

Be it enacted by the Sikkim State Legislature in the 46th year of the Republic of India as follows:

- i. (1) This Act may be called the Sikkim-Manipal University of Health, Medical and Technological Sciences Act, 1995.
- (2) It shall come into force on such date as the State Government, may by notification in the Official Gazette, appoint.

Short title and commencement.

Definations.

2.

In this Act, unless the context otherwise requires :-

- (a) 'Board of Studies' means the Board of Studies established for a subject under this Act. ;
- (b) 'Chancellor' means the Chancellor of the University;
- (c) 'Director' means the Director of the Institute ;
- (d) 'Fund' means the fund of the University;
- (e) 'Governing Council' means the Governing Council of the University constituted under this Act.
- (f) 'Government' means the Government of Sikkim.
- (g) 'Institute' means the Institute of Health, Medical and Technological Sciences or any other Institute established by the Manipal-Pai Foundation in the State of Sikkim ;
- (h) 'Member' means the member of the University.
- (i) 'Notification' means Notification published in the Official Gazette.
- (j) 'Prescribed' means prescribed by rules made under this Act.
- (k) 'Pro-Chancellor' means the Pro-Chancellor of the University referred to in Section 8.
- (l) 'Registrar' means the Registrar of the Sikkim-Manipal University of Health, Medical and Technological Sciences ;
- (m) 'Regulations' means the regulation made by the University under this Act.
- (n) 'Schedule' means the schedule appended to this Act.
- (o) 'Trust' means the Manipal Pai Foundation 2 of 1882
Trust registered under Indian Trusts Act, 1882.
- (p) 'University' means the Sikkim-Manipal University of Health, Medical and Technological sciences, Gangtok established under Section 3.
- (q) 'Vice-Chancellor' means the Vice-Chancellor of the University appointed under Section 9.

*Establishment
and Incorporation
of
S i k k i m -
Manipal Uni-
versity of
Health, Medi-
cal and Tech-
nological Sci-
ences.*

(1) With effect from such date as the State Government may, by notification appoint, there shall be established, in the State of Sikkim, a University by the name of Sikkim-Manipal University of Health, Medical and Technological Sciences, which shall consist of a Chancellor, the Pro-Chancellor, the Vice Chancellor, the Governing Council, the Academic Senate and the Registrar.

(2) The University shall be a body corporate by the name aforesaid, having perpetual succession and common seal with power, subject to the provisions of this Act, to acquire and to hold property, to contract and shall, by the said name, sue and be sued.

(3) The Headquarters of the University shall be at Gangtok in the State of Sikkim.

*The Objects of
the University
etc.*

4. The objects of the University shall be :
- (a) to create a centre of excellence for providing health, medical care, educational and research facilities of a high order in the field of medical science and technology including continuing medical education, hospital administration, technological education and education in facilities like dental, nursing or any other subject to be started from time to time with the prior approval in writing of the respective accrediting bodies, if any, in the Union of India ;

- (b) to develop patterns of teaching in the under-graduate, post-graduate levels and super-speciality of a high standard of medical education and also to develop patterns of teaching in under-graduate and post-graduate levels of technology ;
- (c) to provide for training in para-medical and allied health sciences;
- (d) to provide for training in technological sciences and allied fields;
- (e) to function as referral hospital and a specialized technical institution ;
- (f) to provide for under-graduate, post-graduate and post-doctoral teaching and conduct of research in the relevant discipline of modern medicine and other allied sciences including inter-disciplinary fields of physical, biological and technological sciences.

Power and functions of the University.

5. The powers and functions of the University shall be :-
- (a) to assist in administering and managing the Institute or Institutes and such other centres for research, education and instructions as are necessary for the furtherance of the objects of the University ;
 - (b) to provide for instruction, teaching and training in such branches of knowledge or learning pertaining to medicine, technology health and allied sciences, as the University may think fit and to make provision for research, advancement and dissemination of knowledge of medicine and health etc ;
 - (c) to hold examinations and to grant and confer degrees, diplomas or certificates and other academic distinctions on persons who have passed a course of study in the institutes, or carry on research, subject to such conditions as the University may determine and to withdraw any such diplomas, certificates, degree or other academic distinctions on good and sufficient cause ;
 - (d) to create a centre of excellence for providing health, medical care, education and research facilities of high order in the field of medical sciences and technological institutions, including continuing medical education and hospital administration, dental, nursing and other faculties as may be deemed expedient by the Governing Council ;
 - (e) to develop patterns of teaching in under-graduate, post-graduate and super specialities so as to meet a very high standard of medical education ;
 - (f) to provide for teaching and training in para-medical and allied health sciences ;
 - (g) to provide for training in technological sciences and in the fields related to medicine and health ;
 - (h) to function as referral hospital and specialized technological institutions ;
 - (i) to provide for under-graduate, post-graduate and post-doctoral teaching and conduct of research in the relevant discipline of modern medicine and other allied sciences, including inter-disciplinary fields of physical, biological sciences and technological sciences ;

- (j) to fix, demand and request fees and other charges ;
- (k) to institute and maintain halls and hostels and to recognise places of residence for the students of the University and to withdraw such recognition accorded to any such places of residence ;
- (l) to establish such special centres, or other units for research and instruction as are, in the opinion of University, necessary for the furtherance of its objects ;
- (m) to supervise and control the residence and to regulate the discipline of the students of the University and to make arrangements for promoting their health ;
- (n) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto ;
- (o) to regulate and enforce discipline amongst the employees of the University and to take such disciplinary measures as may be deemed necessary ;
- (p) to institute professorship, associated professorship, assistant professorship, readership, lectureship, and any other teaching, academic or research posts required by the University ;
- (q) to appoint persons as professors, assistant professors, readers, lecturers, or otherwise as teachers and researchers of the University ;
- (r) to institute and award fellowships, scholarships, prizes and medals;
- (s) to provide for printing, reproduction and publication of research and other works and to organise exhibitions ;
- (t) to co-operate with other organisations in the matter of medical and health education, training and research for such purposes as may be agreed upon on such terms and conditions as the University may, from time to time, determine ;
- (u) to co-operate with institutions of higher learning in any part of the world having objects wholly or partly similar to those of the University, by exchange of teachers and scholars and generally in such manner as may be conducive for furtherance of the objects of the University;
- (v) to regulate the expenditure and to manage the accounts of the University ;
- (w) to establish and maintain within the premises of the University or else where, such class rooms, study halls as the University may consider necessary and adequately furnish the same.
- (x) to receive grants, subscriptions, donations and gifts for the purpose of University and consistent with the objects for which the University is established ;
- (y) to purchase, take on lease or accept as gift or otherwise any land or building or works which may be necessary or convenient for the purpose of the University and on such terms and conditions as it may think fit and proper and to construct or alter and maintain any such buildings or works ;
- (z) to execute conveyance, transfers, re-conveyances, mortgages, leases, licences and agreements in respect of property, movable or immovable, including Government securities belonging to the University or to acquire for the purpose of the University ;

- (aa) to enter into agreements with the Central Government, State government, the University Grants Commission or other authorities for receiving grants ;
- (ab) to accept grants of money, securities or property of any kind on such terms and conditions as may be deemed expedient ;
- (ac) to raise and borrow money on mortgage, promissory notes or on other obligations or securities based upon on or any of the properties and assets of the University with or without any securities and upon such terms and conditions as it may think fit and to pay out of the funds of the University, all expenditures incidental to the raising of money and to repay and redeem any money borrowed ;
- (ad) to invest the funds of the University or money entrusted to the University in other such securities and in such manner as it may deem fit and from time to time transpose any investment ;
- (ae) to make such regulations as may, from time to time, be considered necessary for regulating the affairs and management of the University and to alter, amend and to rescind them ;
- (af) to delegate all or any of its powers to the Pro-Chancellor, the Vice-Chancellor or any committee or sub-committee or to any one or more members of the Trust ; and
- (ag) to do all such other acts and things as the University may consider necessary, conducive or instrument to the attainment and enlargement of the aforesaid objects or any one of them.

Teaching of the University.

- 6.(1) All recognised teaching in connection with the degree, diplomas and certificates of the University shall be conducted, under the control of the Governing Council, by the teachers of the University, in accordance with syllabus prescribed by the regulations of the University or the Medical Council of India or by any other appropriate authority.
- (2) The course and curricula and the authorities responsible for organising such teaching shall be as prescribed by regulations.

The Chancellor.

- 7.(1) The Governor of the State of Sikkim shall be the Chancellor of the University.
- (2) The Chancellor will preside over the convocations of the University.
- (3) The Chancellor shall, once in every five years, cause to be reviewed the progress of the University in such manner as he may think fit.

The Pro-Chancellor.

- 8.(1) The President or Chairman of the Manipal Rai Foundation shall be the Pro-Chancellor of the University.
- (2) The Pro-Chancellor shall preside over the meeting of the Governing Council and Executive Committee and shall exercise such other powers and functions vested with him by or under the provisions of this Act.
- (3) In the absence of the Chancellor, the Pro-Chancellor shall preside over the convocations of the University.

The Vice-Chancellor.

9. (1) The Vice-Chancellor shall be a whole time officer of the University.
- (2) He shall be appointed by the Pro-Chancellor in accordance with the procedures prescribed in Section 10 of the Act.
- (3) No person shall be appointed or hold office as Vice-Chancellor if he has attained the age of 65 years.
- (4) The Vice - Chancellor shall, subject to pleasures of the Pro-Chancellor and the provisions of sub-section (3), hold office for a period of five years; but he shall be eligible for re-appointment ;

Provided that no person shall be appointed as Vice-Chancellor for more than two terms :

Provided further that no Vice-Chancellor shall be removed from the office except by an order passed on the ground of mis-behaviour, mis-management, mis-capacity or otherwise after due enquiry by a serving or retired Judge of the Sikkim High Court, appointed by the Chancellor.

- (5) The emoluments and other service conditions of the Vice-Chancellor shall be such as may be determined by the Pro-Chancellor in accordance with the regulations, if any, framed in this behalf and they shall not be varied to his dis-advantage after his appointment.

Method of appointment of Vice-Chancellor.

10. (1) The Vice-Chancellor of the University shall be appointed by the Pro-Chancellor from out of a panel of not less than three persons recommended by a committee consisting of three persons of whom one shall be nominated by the Chancellor; one by the Pro-Chancellor and one by the Academic Senate of the University.

The Chancellor shall appoint one of the three persons to be Chairman of the Committee.

- (2) The committee shall forward the panel of names to the Pro-Chancellor together with a concise statement showing the academic qualifications and other distinctions of each of the persons included in such panel but shall not indicate any order of preference.
- (3) Where a vacancy in the office of the Vice-Chancellor occurs and it cannot be conveniently and expeditiously in accordance with the provisions of sub-sections (1) and (2) or if there is any emergency, the Pro-Chancellor may appoint any suitable person to be the Vice-Chancellor and may, from time to time, extend the term of such appointment provided the total term of such appointment, including the term extended, shall not exceed one year.
- (4) The emoluments and conditions of service of the Vice-chancellor, shall be such as may be prescribed by the Executive Committee and until so prescribed they shall be as determined by the Pro-Chancellor :

Provided that they shall not be varied to his disadvantages after appointment.

Powers and Duties of

11. (1) The Vice-Chancellor shall subject to Section 8 be the principal executive and Academic Officer of the University and shall

the Vice-Chancellor.

- preside over the meetings of the Academic council.
- (2) Without prejudice to the generality of the provisions contained in Sub-section (1), the Vice-Chancellor shall:
 - (a) exercise general supervision and control over the affairs of the University ;
 - (b) ensure the observance of the provisions of the Act and regulation of the University;
 - (c) be responsible for imparting of instructions and maintenance of discipline in the University ;
 - (d) create or abolish posts in cadres other than teaching cadres of the University and in respect of teaching cadre to create posts for a period not exceeding six months;
 - (e) in case of any emergency which, in his opinion, requires immediate action, the Vice-Chancellor shall take such action as he deems necessary and shall, at the earliest opportunity thereafter, report the action taken to such authority or body as would in the ordinary course have dealt with the matter;

Provided that if the action taken by the Vice Chancellor is not approved by the authority or body concerned, it may refer the matter to the Pro-Chancellor, whose decision shall be final.

Provided further than if the decision taken by the authority or body on the report of the Vice-Chancellor under this Section affects adversely any person in the service of the University, he may prefer an appeal to the Chancellor within thirty days from the date on which the decision was communicated to him and the decision of the Chancellor on such appeal shall be final.

(4) the Vice-Chancellor shall exercise such other powers and perform such other duties as may be assigned to him or by under this Act or, as may be delegated to him by the Governing Council or the Pro-Chancellor, as the case may be.

Registrar

12. (1) The Registrar shall be a whole time officer of the University appointed by the Vice-Chancellor with the approval of the Executive Committee from out of a panel of not less than three persons recommended by the Vice-Chancellor to the Executive Committee. If none in the panel is approved by the Executive Committee within the time prescribed by the regulations, the Pro-Chancellor, may in consultation with the Vice-Chancellor, appoint such person as he deems fit to be the Registrar.

(2) The emoluments and terms and conditions of the service of the Registrar shall be such as may be prescribed by the regulations.

(3) The Registrar shall be the ex-officio Secretary of the Executive Committee, the Academic Senate, the Finance Committee and the faculties, but shall not be deemed to be a member of any of these authorities.

(4) The Registrar Shall:-

(a) comply with all directions and orders of the Executive Committee and the Pro-Chancellor;

(b) be the custodian of the records, common seal and such other property of the University as the Executive Committee shall commit to his charge;

(c) issue all notices covering meeting of the Executive Committee, the Academic Senate, the Finance Committee, the faculties, the Board of Studies and of any committee, appointed by the authori-

- lies of the University;
- (d) keep the minutes of all meetings of the Executive Committee, the Academic Senate, the Finance Committee, the faculties and any committee appointed by the authorities of the University;
 - (e) Conduct the official correspondence of Executive Committee and the Academic Senate;
 - (f) supply the Chancellor the copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of the meetings of the authorities ordinarily within a month of the holding of the meeting ;
 - (g) call a meeting of the Executive Committee forth with in an emergency, when neither the Vice-Chancellor nor the Officer duly authorised is able to act and to take its directions for carrying on the work of the University;
 - (h) be directly responsible to the Vice-Chancellor for the proper discharge of his duties and functions; and
 - (i) perform such other duties as may be assigned, from time to time, by the Executive Committee or the Vice-Chancellor.
- (5) In the event of the post of the Registrar remaining vacant for any reason, it shall be open to the Vice-Chancellor to authorise any officer in the service of the University to exercise such powers, functions, and duties of the Registrar as the Vice-Chancellor deems fit.

Authorities of the University.

13. The following shall be the authorities of the University:-

- (1) The Governing Council.
- (2) The Executive Committee.
- (3) The Academic Senate.
- (4) The Finance Committee

The Officers of the University.

14. The following shall be the officers of the University, namely:-

- (a) The Chancellor.
- (b) The Pro-Chancellor.
- (c) The Vice-Chancellor.
- (d) The Registrar.
- (e) The Dean of the Faculty of Health Sciences.
- (f) The Dean of the Faculty of Technology.
- (g) The Director.
- (h) such other persons as may be prescribed to be the officers of the University.

The Governing Council.

15. The Governing Council shall be the supreme authority of the University.

The Executive Committee.

16. (1) The Executive Committee shall be the Chief executive body of the University.

(2) Subject to the powers and functions of the Pro-Chancellor, the administration, management and control of the University and the income thereof shall be vested with the Executive Committee which shall control and administer, the property and funds of the University.

The Academic Senate.

17. The Academic Senate shall be the academic body of the University and it shall, subject to the provisions of this Act and the regulations have power of

control and general regulation or and be responsible for the maintenance of standards of education, instruction and examination of the University and shall exercise such other powers and functions as may be conferred or imposed upon it by this Act or their regulations. It shall have the right to advise the Executive Committee on all academic matters.

Regulations.

18. (1) Subject to the provisions of this Act, the Executive Committee shall have, in addition to all other power vested in it, the power to frame regulations to provide for the administration and management of the affairs of the University;

Provided that the Executive Committee shall not make any regulation affecting the status, power or the constitution of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Committee:

Provided further that except with the prior concurrence of the Pro-Chancellor, Executive Committee shall not make and/or repeal any regulation affecting any or all of the following matters, namely:-

- (a) The constitution, powers and duties of the Academic Senate and or the Pro-Chancellor;
- (b) The authorities responsible for organising the teaching in connection with the courses of the University and related academic programmes.
- (c) The withdrawal of degrees, diplomas and certificates and other academic distinctions.
- (d) The establishment and abolition of faculties, department halls and institutions.
- (e) The institution of fellowship, scholarships, exhibitions, medals and prizes.
- (f) Conditions and modes of appointment of examiners or conduct or standard of examination or any other course of study.
- (g) Mode of enrollment of admission of students.

(2) The Academic Senate shall have the power to propose regulations on all matters specified in clauses (e) to (g) of the above sub-section and on matters incidental and related thereto in this regard.

(3) Where the Executive Committee has rejected the draft of the regulation proposed by the Academic Senate, the latter may appeal to the Pro-Chancellor and the Pro-Chancellor may, by order, direct that the proposed regulation may be laid before the next meeting of the Governing Council for its approval and that pending such approval of the Governing Council it shall have effect from such date as may be specified in that order.

Provided that if the regulation is not approved by the Governing Council at such meeting, it shall cease to have effect.

(4) All regulations made by the Executive Committee shall be submitted, as soon as may be, for approval to the Pro-Chancellor and to the Governing Council at its next meeting and the Governing Council shall have power by a resolution passed by the Majority of not less than 2/3 of the members present, to cancel any regulation made by the Executive Committee and such regulation shall, from the date of such resolution, cease to have effect.

*Appointment of
University
Review Com-
mittee.*

- 19 (1) The Chancellor shall at least once in every five years, constitute a committee to review the working of the University and to make recommendation.
- (2) The Committee shall consist of not less than three eminent educationists, one of whom shall be the chairman of the committee appointed by the Chancellor in consultation with the State Government.
- (3) The terms and conditions of the appointment of the members shall be such as the Chancellor may determine.
- (4) The Committee shall, after holding such enquiry as it deems fit, make its recommendations to the Chancellor.
- (5) The Chancellor may take such actions on the recommendations as he deems fit.

*Action not in-
validated
merely on the
ground of the
defect in the
constitution,
vacancy etc.*

20. (1) Notwithstanding that the Governing Council, Executive Committee, Academic Senate or any other authority or body of the University is not duly constituted or there is a defect in its constitution or re-constitution at any time and notwithstanding that there is a vacancy in the membership of such authority or body, no act or rule or proceedings of such authority or body shall be invalidated on any such ground or grounds.
- (2) No resolution of any authority of the University shall be deemed to be invalidated on account of any irregularity in the service of notice upon any member provided that the proceedings of such authority or body were not prejudicially affected by such irregularity.

*Removal of dif-
ficulty.*

21. If any difficulties arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or otherwise in first giving effect to the provisions of the Act or the regulations, the Pro-Chancellor may, at any time, before all such authorities of the University have been constituted, by order, make any appointment or do anything consistent, so far as may be, with the provisions of the Act and the regulations, which appear to him necessary or expedient for the purpose of removing the difficulty, and every such order shall have the effect as if such appointment or action had been made or taken in the manner provided in this Act and the regulations:
- Provided that before making any such order, the Pro-Chancellor shall ascertain and consider the opinion of the Registrar of the University or such appropriate authority as he may deem fit and proper.

*Removal of
Doubts.*

22. For the purpose of removal of doubts, it is hereby declared that nothing in this Act shall be construed as transferring from the Manipal Pai Foundation to the University such rights of ownership or possession, if any, possessed by the said Foundation over or in respect of the Institutes established by it or its predecessor, Manipal Education and Medical Group.

*Transitory
Provision.*

23. Notwithstanding anything contained in this Act and the regulation, the Registrar may, with the approval of the Pro-Chancellor and subject to the availability of funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act and the regulations and for that purpose may exercise powers or perform any duties which by this Act or regulations are to be exercised or performed by any authority of the University until such authority comes into existence in the manner provided by this Act and the regulations.

*The Authorities
and Officers of
the University
etc.*

24. The authorities of the University and the composition, powers, functions and other matters related to them, the officers of the University and their appointment, powers, functions and other matters relating to them and all other matters relating to the functions, powers, teaching, administration and management of the affairs of the University shall, subject to the provisions of this Act, be as specified in the Schedule or as may be provided by the regulations.

Indemnity.

25. No suit, prosecution or other legal proceedings shall lie against and no damages shall be claimed from the University, the Pro-Chancellor, the authorities or the officers of the University or any other person in respect of anything which is in good faith done or purported to have been done in pursuance of this Act or any regulations made thereunder.

*Power to
amend the
schedule.*

26. (1) The Governing council may, with the previous approval of the Pro-Chancellor and the State Government, by notification amend either prospectively or retrospectively the Schedule.

(2) A copy of the Notification made under sub-section (1) shall be laid before the Legislature as soon as may be, after it is made.

*The Act to have
overriding.*

27. The provisions of this Act and any regulations made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any other instrument having effect by virtue of any law other than this Act.

SCHEDULE
(See Section 2 (n))

Definitions.

1. In this Schedule, unless the context otherwise requires,-
 - (a) 'Clause' means a clause of the Schedule;
 - (b) 'Teacher' includes Deans, Professors, Associated Professors, Assistant Professors, Readers, Lecturers and any other person imparting instructions in the University.

Membership of the Governing Council.

2. There shall be a Governing Council of the University, which shall consist of the following members, namely:-
 - (a) The Pro-Chancellor.
 - (b) The Vice-Chancellor.
 - (c) The Registrar.
 - (d) Two nominees of the Government of Sikkim.
 - (e) One nominee of the Manipal Pai Foundation
 - (f) The Dean of the Faculty of the Health Sciences.
 - (g) The Dean of the Faculty of Technology.
 - (h) Two experts to be nominated by the Pro-Chancellor.
 - (i) Two Faculty members of the University nominated by the Pro-Chancellor from a panel of four nominees recommended by the Vice-Chancellor.
 - (j) Two Faculty members to be nominated by the Academic Senate.

Chairman, Vice-Chairman and Secretary.

3. (1) The Pro-Chancellor shall be the Chairman of the Governing Council.
- (2) The Vice-Chancellor shall be the Vice-Chairman of the Governing Council.
- (3) The Registrar shall be the Secretary of Governing Council.

The term of office of the members of the Governing Council.

4. (1) The term of office of the Governing Council shall, subject to sub-clauses (2) and (3), be five years:

Provided that the term of office of the first Governing Council will expire on constitution of the regular Governing Council under the provisions of the Schedule.

(2) Where a member of the Governing Council has become such member by reason of the office or appointment he holds, or is nominated member, his membership shall terminate when he ceases to hold such office or appointment or, as the case may be, his nomination is withdrawn or cancelled.

(3) A member of the Governing Council shall cease to be a member, if he resigns or becomes of unsound mind, or becomes insolvent or is convicted of a criminal offence involving moral turpitude or if a member other than the Registrar, accepts a full time appointment in the University or if he fails to attend three consecutive meeting of the Governing Council without the leave of the Chairman.

(4) The member of the Governing Council may resign his office by a letter addressed to the Chairman and such resignation shall take effect as soon as the resignation has been accepted by him.

(5) Any vacancy in the Governing Council shall be filled either by appointment or nomination, as the case may be, of a person by the respective authority entitled to make the same and the persons so appointed or nominated shall hold office so long until the member in whose place he is appointed or nominated could have held the office if the vacancy have not occurred.

Powers and Functions of the Governing Council.

5. (1) The Governing Council shall have all the powers necessary for the administration and management of the University or for conducting its affairs, including power to review the action of the Executive Committee, the Academic Senate, the Finance Committee and all other committees and the power to review the regulations made by the Executive Committee and shall exercise the powers of the University not otherwise provided in this Act.

(2) Without prejudice to the generality of the powers conferred by sub-clause (1), the Governing Council shall,—

- (a) recommend the broad policies and programmes of the University and suggest measures for the improvement and development of the University;
- (b) Consider and pass the resolution on the annual report, the financial estimate and the audit report on such accounts;
- (c) Perform such other functions as it may deem necessary in the proper functioning and administration of the University.

(3) Without prejudice to the generality of the powers conferred by sub-clauses (1) and (2), the Governing Council shall perform the following functions, namely:-

- (a) Take steps for achieving the objectives of the University;
- (b) hold control and administer the property and funds of the University;
- (c) Acquire and hold any movable or immovable property on behalf of the University;
- (d) administer any funds placed at the disposal of the University for specific purposes;
- (e) manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the Institute and for that purpose appoint such agent as it may think fit;
- (f) Invest the money belonging to the University (including any income from trust and endowed property) in such stocks, funds, shares or securities as it may, from time to time, think fit and appropriate;
- (g) enter into, vary, carry out and cancel contracts on behalf of the University;
- (h) regulate and determine all other matters concerning the University in accordance with the provisions of the Act and the rules and regulations made thereunder;
- (i) delegate any of its powers to a committee or the Vice-Chancellor or to any Officer of the University; and
- (j) co-operate with the other Institutions and Universities and other authorities in such manner and for such purpose as it may be determined.

Meetings of the Governing Council.

6. (1) The Governing Council shall meet at least once in a year. Annual meeting of the Governing Council shall be held on a date to be fixed by the Executive Committee, unless some other date has been fixed by the Governing Council in respect of any year.

(2) The Chairman shall preside over the meetings of the Governing Council and in his absence the Vice-Chairman shall preside over the meeting and in the absence of both of them, the Registrar shall preside.