

Direction No. 6 of 2019

(Issued under provision of section 12(8) of the Maharashtra Public Universities Act, 2016)

RULES OF PROCEDURE FOR CONDUCT OF BUSINESS AT MEETINGS OF THE ACADEMIC COUNCIL DIRECTION, 2019

(As per Section 71(5) of the Maharashtra Public Universities Act, 2016.)

Whereas, the Maharashtra Public Universities Act, 2016 has come into force with effect from 1st March 2017 (hereinafter referred to as the Act);

AND

Whereas, the Act has repealed the Maharashtra Universities Act, 1994 with effect from 1st March 2017;

AND

Whereas, the Act has been made applicable to the Gondwana University, Gadchiroli with effect from 1st March 2017;

AND

Whereas, the Academic Council is the authority of the university as per provision made under section 26(3) of the Act;

AND

Whereas, constitution of the Academic Council is provided under provision of section 32(3) of the Act;

AND

Whereas, section 32(2) of the Act provides that the Academic Council shall meet not less than four times in a year;

AND

Whereas, section 71(5) of the Act provides that the Rules of procedure for conduct of business at the meetings of the authorities of the university shall be the subject matter of the Statute;

AND

Whereas, the Academic Council being an authority of the University, the business at the meetings of the Academic Council is required to be regulated by the Rules of procedure for conduct of business at the meeting to be prescribed under the Statute;

AND

Whereas, Clause(l) of sub-section(2) section 147 of the Maharashtra Public Universities Act, 2016 provides that statutes made under the Maharashtra Universities Act, 1994 in respect of the university shall, in so far as they are not inconsistent with the provisions of the Maharashtra Public Universities Act, 2016 continue to be in force and be deemed to have been made under the Maharashtra Public Universities Act, 2016, in respect of Gondwana University, Gadchiroli, until they are superseded or modified by the statute made under the Maharashtra Public Universities Act, 2016 ;

AND

Whereas, statute No. 3 of 2001 in respect of “statute to provide for the procedure to be followed at the meeting of the Academic Council” made by the Nagpur University, Nagpur, as per the provision of the Maharashtra Universities Act, 1994 which was assented to by the Hon. Chancellor from 3rd March 2001 vide letter No. CS/NU/STT/43/00/B/(3923)/590 dated 5 the March 2001 is in existence in the university which was made applicable to the Gondwana University, Gadchiroli from the date of its establishment;

AND

Whereas, some provisions made under statute No.3 of 2001 were inconsistent with the provisions of the Maharashtra Public Universities act, 2016;

AND

Whereas, statute No. 3 of 2001 is required to be amended for removing the inconsistency appearing in its provision with the provisions of the Maharashtra Public Universities Act,2016;

AND

Whereas, the process and procedure of amending statute No. 3 of 2001 is time consuming;

AND

Whereas, the meeting of the Academic Council of the university was required to be conveyed.

AND

Whereas, Direction No. 13 of 2018 in respect of Rules of procedure for conduct of business at meetings of the academic council Direction, 2018 was issued by the Vice-Chancellor, on 21/05/2018 under provision of section 12 (8) of the Maharashtra Public Universities Act, 2016;

AND

Whereas, Direction No. 13 of 2018 automatically lapsed after completion of six months from the date of its issuance that is from 21/05/2018 as per provision made under the proviso of sub-section (8) of section 12 of the Maharashtra Public Universities Act, 2016;

AND

Whereas, the meeting of the Academic council is required to be convened;

AND

Whereas, it is necessary to provide legislation in respect of Rules of procedure for conduct of business at meetings of the academic council.

Now, therefore, I, Dr. N. V. Kalyankar, Vice-Chancellor, Gondwana University, Gadchiroli, in exercise of the powers vested in me under provision of sub-Section (8) of section 12 of the Maharashtra Public Universities Act, 2016, do hereby issue the following Directions: -

1. This Direction may be called "Rules of Procedure for conduct of business at meetings of the Academic Council Direction, 2019."
2. This Direction shall come into force with effect from the date of its issuance.
3. In this Direction, unless the context otherwise requires: -
 - (i) "Academic Council" means the Academic Council duly constituted as per Section 32 (3) of the Act.
 - (ii) "Act" means the Maharashtra Public Universities Act, 2016.
 - (iii) "Affiliated College" means a College which has been granted affiliation by the University.
 - (iv) "Authority" means an authority of the University as specified by or under section 26 of the Act.
 - (v) 'Bodies' means Bodies of the University formed by the respective authorities.
 - (vi) 'Chairperson of the Board of Studies' means a person elected as chairperson of the Board of Studies concerned under provision of section 40(2)(d)(i) of the Act.
 - (vii) "Chancellor" means the Governor of Maharashtra as per Section 9 (1) of the Act.
 - (viii) 'clear days' means excluding first and last day under consideration.
 - (ix) 'Dean of each faculty' means a person appointed as Dean of the faculty concerned by the Vice-Chancellor under provision of section 15(2) of the Act.
 - (x) 'Director of Board of Examinations and evaluation' means a person appointed by the Vice-Chancellor as Director of Board of Examinations and evaluation under provision of section 17(3) of the Act.
 - (xi) 'Director of Innovation, Incubation and Linkages' means a person appointed by the Vice-Chancellor as Director of innovation incubation and linkages under provision of section 20(3) of the Act.
 - (xii) 'Director of sub-campus' means a person appointed as Director of sub-campus by the vice-chancellor under provision of section 19(3) of the Act.

- (xiii) "Emergent Meeting" means an Emergent Meeting convened by the Registrar, under the directions from the Vice-Chancellor for consideration of such matter(s) as have been construed emergent by giving such previous notice as the circumstances in each case may permit.
- (xiv) "Management Council" means the Management Council duly constituted as per Section 30 (4) of the Act.
- (xv) "Pro-Vice Chancellor" means a person so appointed by the Chancellor as per section 13(6) of the Act.
- (xvi) "Recognised Institution: means as institutions of higher learning, research or specialized studies other than a College, and recognized to be so by the University.
- (xvii) "Registrar" means a person so appointed as a Registrar as per Section 14 (3) of the Act.
- (xvii) "Regular meeting" means regularly convened meeting by the Registrar, under the directions from the Vice-Chancellor by giving atleast Twenty one days notice.
- (xviii) "Requisitioned Meeting" means a Requisitioned Meeting convened by the Registrar, under the directions from the Vice-Chancellor on receipt of a requisition in form of a resolution signed by not less than one third members of the Academic Council.
- (xix) "Vice-Chancellor" means a person so appointed as the Vice-Chancellor as per Section 11(4) of the Act.

4. The meeting of the Academic Council shall be convened by the Registrar under the orders of the Vice-Chancellor.

Provided that the Vice-Chancellor may convene an Emergent meeting of the Academic Council to consider any matter(s) within its purview.

Provided further that the Vice-Chancellor shall, upon a requisition in writing signed by not less than one third of the sitting number of members of the Academic Council, Convene a requisition meeting of the Academic Council to consider any particular matter or matter within its purview. When such a requisition is made, the Vice-Chancellor shall within three days from the date of receipt of the notice first decide whether particular matters(s) stated in the Requisition Meeting notice is or not within the purview of the Academic Council. When the Vice-Chancellor decides that the matter(s) stated in the Requisition meeting notice is in the perview of the Academic Council, then he shall, within seven days from the date of receipt of the Requisition meeting notice, direct the Registrar to convene such meeting, giving notice required as per para 5 (iii) of this Direction.

- 5.
- (i) The Registrar shall act as the Member-Secretary of the Academic Council.
 - (ii) The Registrar shall issue notice(s) of the meeting(s), record faithfully the minutes of the proceedings and discharge such other functions and duties as are required to be performed by the Secretary of the Academic Council.
 - (iii) A minimum of Twenty-one days' notice of the date, time and venue of the meeting shall be given by the Registrar.

Provided that in case of an emergent meeting such previous notice shall be given as circumstances in each case may permit;

Provided further that in case of an Requisition meeting Fifteen days' notice of the date, time and venue of the meeting shall be given by the Registrar.

- (iv) The requisite meeting notice shall be dispatched by the Registrar to all members of the Academic Council and shall further be published by being posted on the notice board of Registrar's office.
 - (v) Votes of thanks, message(s) of Congratulation(s) or condolence(s) addressee (s) and other matter(s) of like nature may be moved from the Chair or by a member with the permission of the Chair without previous notice.
6. (i) Agenda of the Regular Meeting, convened under Section 32(2) of the Act shall be subject to the provisions of para 10 (A) of this Direction, be settled by the Vice-Chancellor and his decision in respect of the inclusion of any matter(s) in the Agenda of the Meeting shall be final.
- (ii) Where an Emergent Meeting is convened by the Registrar, the Agenda shall be settled by the Vice-Chancellor and his decision shall be final.
 - (iii) Where the requisite number of members of the Academic Council submit a requisition for a meeting, the Agenda for such Requisitioned Meeting shall be the subject mentioned in the requisition.

Provided that every requisition for a meeting of the Academic Council shall clearly and precisely specify the matter to be discussed and it shall be in the form of a resolution.

7. (i) The Agenda paper(s) along with all relevant enclosure(s) shall be dispatched to each member Ten days before the actual date of the meeting other than an Emergent Meeting.
- (ii) In case of an Emergent meeting agenda paper(s) and relevant enclosure(s) shall be dispatched to each member along with the notice of the Emergent Meeting.
8. No business shall be transacted at a meeting other than that specified in the Agenda.

Provided that any business, not specified in the Agenda of the regular meeting may be brought forward by any member with the permission of the chair and the majority of members present at the meeting.

9. i) The Vice-Chancellor shall preside over every meeting of the Academic Council.

Provided that if the Vice-Chancellor is absent, the Pro-Vice Chancellor, if any, shall preside over the meeting.

Provided further that in absence of both the Vice-Chancellor and the Pro Vice-Chancellor, the Members present shall elect the Chairperson from amongst themselves limited to that meeting.

- ii) The Vice-Chancellor may temporarily vacate the Chair if he so desires during the meeting, The Pro Vice-Chancellor, if present, shall preside over the meeting. In case of the absence of the Pro Vice-Chancellor, the Vice-

Chancellor shall nominate the member present to be the Chairperson during his absence as working Chairperson, who shall exercise all such rights and powers vested with the Chairperson.

- 10 (A) At every Regular meeting, if it is a part of the business to be transacted, it shall be taken in the following order, unless the meeting, by special vote, otherwise determines:-
- (i) Election of the Chairperson, if require, as provided for under para 9(i) Of this Direction.
 - (ii) Confirmation and then counter signing of the minutes of the previous meeting or adjourned meeting by the Chairperson, as the case may be.
 - (iii) Action Taken Report (S) on the Minute(s) of the Previous Meeting including an Adjourned Meeting, if any.
 - (iv) Deferred and postponed items of the previous meeting(s).
 - (v) Election/Nomination by the Academic Council on any Authority/body/Statutory Committee as per the provisions of the Act and such other appropriate acts, if it is a part of the business to be transacted at the meeting.
 - (vi) To consider and to give opinion on the Draft Statute pertains to academic matters referred to it by the Management Council.
 - (vii) Consideration of proposals for making, amending and repealing ordinance(s) on the issue(s) related to all academic matter(s) concerning the maintenance of standard of teaching and examination within the University and to recommend them to the Management Council.
 - (viii) Consideration of proposals for making, amending and repealing Regulations on matters specified in Section 75 of the Act.
 - (ix) To recommend to the Management Council a panel of not less than six names of experts not connected with the University as per Section 102(2)(e) of the act.
 - (x) To consider the application received from the Management desirous of closing down the College/a faculty in the College/a subject(s) or course of studies and to cause to make enquires as it may deem fit as per Section 121(3) of the Act.
 - (xi) To consider to grant first time affiliation to the new college or addition of a new faculty/new subject(s)/ new course(s) in an affiliated/conducted college in receipt of permission from the State government, as per the procedure prescribed in Section 110 of the Act.
 - (xii) To grant continuation of affiliation to college(s) or institution(s) in accordance with the provisions of the Act/Statute(s)/Ordinance(s)/Regulation(s).
 - (xiii) Submit to the Management Council a feasibility report on academic programmers recommended by the Senate;
 - (xiv) To make proposals for allocating subjects to the faculties.

(xv) Appoint Committees to review the utility and practicability of existing course of studies and desirability or necessity or reviewing or modifying them in the light of new knowledge and changing social requirements.

(xvi) Consideration of remaining item(s) as mentioned in Section 33(1) of the Act.

(xvii) Consideration of the recommendations made by the various faculties.

(xviii) Consideration of the report(s) along with the findings submitted by the Dean(s) of the Faculty(s) regarding any malpractice(s) related to any Academic programme concerning his/her faculty.

(xix) Consideration of the proposals submitted by the Dean(s) of Faculty(s) for award of fellowships, Scholarships and other distinctions concerning his/her faculty.

(xx) Consideration of the item(s) recommended by the Board of Deans.

(xxi) Consideration of the Report(s) of the Committee(s) constituted by the Academic Council.

(xxii) Consideration of the resolution(s) moved by the member(s) of the Academic Council with a due notice.

(xxiii) Consideration of any matter referred to it by any Authority(s)/Body(s)/Committee(s) as prescribed in the Act or the Committees appointed by the Authority(s)/ Body(s) of the University.

(xxiv) Consideration of any other matter required to be dealt with by the Academic Council under the Act/Statute(s)/Ordinance(s)/Regulation(s).

(B) Proposition(s)/Resolution(s) to be laid before the meeting for its consideration by any member(s) must be received in the Registrar's Office Fifteen clear days before the date of the Regular meeting.

11. A meeting may be adjourned to any day and time in order to complete unfinished business/agenda. Notice of such Adjourned Meeting shall be sent only to the absent members.

12. (i) All actions of authority done and all questions arising before the meeting shall be decided by the majority of the members present and voting thereon at the meeting.

(ii) The Chairperson shall have a vote and casting vote.

13. (i) Not less than one Third of the number of sitting Members of the Academic Council shall form a quorum.

(ii) If the quorum is not present, Fifteen minutes after the advertised time of the meeting, the Vice-Chancellor or the Pro Vice-Chancellor as the case may be, if present, and if both are absent, the Registrar shall adjourn the meeting to such hour on the same date or to such date and hour as he may specify.

(iii) No quorum shall be required for the adjourned meeting.

14. There shall be not less than four meetings of the Academic Council in a year.
15. The minutes of the Proceedings of every meeting of the Academic council shall be faithfully recorded by the Secretary and counter signed by the Chairperson. A copy of the proceeding/minutes shall be dispatched to each member within four weeks from the date of the meeting.
16. The paras related to the admissibility of resolution(s) moved by the Members, the amendments received, the motions moved, and the discussion to be held on the matter(s) at the meeting, nomination(s) made on any Authority(s)/ Body(s)/Committee(s) by the Academic Council and other such matters shall be regulated by the chairperson in accordance with the various paras laid down in the Direction/Statute providing for the Rules of procedure for conduct of business at meetings of the senate, in so far as they are applicable.
17. Statute No. 3 of 2001 in respect of statute to provide for the procedure to be followed at the meeting of the academic council made by the Nagpur University, Nagpur as per provision of the Maharashtra Universities Act, 1994 shall stand repealed from 21/05/2018 that is the date of issuance of Direction No. 13 of 2018.

Gadchiroli.

Date : 31/01/2019


(Dr. N. V. Kalyankar)
Vice-Chancellor