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The Gujarat Government Gazette

EXTRAORDINARY

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 10th March, 2015 is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 2 OF 2015.

(First published, after having received the assent of the Governor, in the *"Gujarat Government Gazette"*, on the 11th March, 2015).

AN ACT

to provide for establishment of a non-affiliating University to be known as the Indian Institute of Public Health, Gandhinagar for imparting education in the field of public health and for research related to public health in the State of Gujarat and for the matters connected therewith and incidental thereto.

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

CHAPTER I
PRELIMINARY

Short title and commencement.

1. (1) This Act may be called the Indian Institute of Public Health Gandhinagar Act, 2015.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

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

(a) "Academic and Research Council" means the Academic and Research Council of the University constituted under section 16;

(b) "Director" means the Director of the University appointed under section 9;

(c) "distance education" means imparting education through any means of communication such as broadcasting, telecasting, correspondence courses, seminars, contact programmes or the combination of any two or more of such means;

(d) "Executive Council" means the Executive Council of the University constituted under section 13;

(e) "Finance Committee" means Finance Committee of the University constituted under section 17;

(f) "Governing Council" means the Governing Council of the University constituted under section 12;

(g) "higher education" means study of a curriculum or course for the pursuit of knowledge beyond 10+2 level;

(h) "hostel" means a place of residence for the students of the University, or its colleges, institutions or centers, maintained or recognised as such by the University;

(i) "MCI" means the Medical Council of India constituted under the Medical Council Act, 1956; 102 of 1956.

(j) "NAAC" means the National Council of Assessment and Accreditation, an institution of the UGC;

(k) "off campus centre" means a centre established by the University outside the main campus but within the State of Gujarat as its constituent unit, having the University's complement of facilities, faculty and staff;

(l) "prescribed" means prescribed by rules made under section 33;

(m) "President" means the President of the University appointed under section 8;

(n) "Registrar" means the Registrar of the University appointed under section 10;

(o) "Regulatory body" means a body established by the Government of India, for laying down the norms and conditions for ensuring academic

standards of higher education including the UGC, AICTE, NCTE, MCI, PCI, NAAC, ICAR, DEC, CSIR, Indian Nursing Council, National Board of Examiners (NBE);

(p) "regulations" means regulations made under section 29;

(q) "sponsoring body" in relation to University means the Public Health Foundation of India (PHFI), a society registered under the Societies Registration Act, 1860;

21 of 1860.

(r) "student" means a student of the University and includes any person who has enrolled himself for pursuing any course of study of the University;

(s) "study centre" means a centre established, maintained or recognised by the University for the purpose of advising, counseling or for rendering any other assistance required by the students;

(t) "Teacher" means a Dean, Professor, Assistant Professor, Associate Professor, Adjunct Professor, Visiting Professor, Emeritus Professor, Reader, Lecturer or any other person imparting instructions in the University or for giving guidance to the students for pursuing any course of study, research or to render guidance in any other form to the students for pursuing a course of study of the University;

(u) "University" means the Indian Institute of Public Health Gandhinagar established and incorporated under section 3.

CHAPTER II
ESTABLISHMENT OF UNIVERSITY

Establishment and incorporation of University.

3. (1) There shall be established a University by the name of the "Indian Institute of Public Health Gandhinagar (IIPHG)".

(2) The President, the Director, the Deans, the Members of the Governing Council, Executive Council, the Academic and Research Council, the Finance Committee and all other persons who may hereafter become such officers and members so long as they continue to hold such office or membership, shall constitute a body corporate by the name of the "Indian Institute of Public Health Gandhinagar (IIPHG)".

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

(4) The University shall be competent to acquire and hold property, to lease, sell, or otherwise transfer any property which may vest in or be acquired by it for the purpose of the University and to contract and do all other things necessary for the purposes of this Act.

(5) The headquarters of the University shall be at Gandhinagar, Gujarat.

Objects of University.

4. The overarching objectives of the University, in general, shall be to advance the education in the field of public health at diploma and degree levels, and at post-graduate levels including doctoral and post-doctoral levels, and to carry on research and consultancy in the area of public health as well as to develop and disseminate knowledge and create awareness about health, and in particular, shall be-

(i) to establish a Centre of Excellence in the field of public health and allied fields, and attract the best talents at national and international level;

(ii) to undertake multi-disciplinary education, research and development and to become a resource centre in the service of the society and the profession by developing knowledge in biostatistics, epidemiology, health services administration, health policy, public health, health management, health education, medical social work, occupational health/occupational medicine, industrial health, behavioural science, environmental health, community health, health insurance, etc. 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, Government 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 surrounding public health and equip them to deal successfully with a variety of challenges and opportunities;

(v) to give training to teachers as well as non-teachers and Government officials and to impart education in the area of public health;

(vi) to advance and disseminate knowledge, learning, impart training and provide for research and consultancy, in all areas related to public health and related areas including promoting and ensuring capacity building in public health education, training and research;

(vii) to strengthen the health systems and build capacity of health workforce in the State of Gujarat and other States;

(viii) to develop physical facilities and services in terms of buildings, equipment, research laboratories, studios, other materials and support systems for effective teaching of courses and programs, and for conduct of research and all other related activities;

(ix) to establish campuses to pursue the objects of the University within and outside India;

(x) to build a strong infrastructure and a high quality faculty for training professionals in public health and related disciplines in order to equip the country and the State of Gujarat with a large and qualified workforce for health and related activities;

(xi) to raise financial resources by contributions, donations, grants or loans from government agencies, industries, other organisations and private individuals, for the effective functioning of the educational, research, publications and related functions of the University;

(xii) to conduct field-research, surveys and studies to document, analyse and study the behavioural patterns and causes and effects of public health related measures;

(xiii) to undertake publication activities to document and disseminate course material, research findings and other related matters pertaining to the developed and natural environment;

(xiv) to develop collaborative programmes with similar institutions within and outside India having similar interests in fields of research, course development, sharing of faculties, exchange of faculties and students and such other fields;

(xv) to prepare through education, training and collaborative research, a team of professionals with a multidisciplinary background, specialising in public health, community medicine, epidemiology, biostatisticians, public health nurses, medical microbiologists, environmental health officers, public health inspectors, public health engineers, public health lawyers, sociologists, community development workers, and other experts in the field of public health;

(xvi) to open, found, establish, promote, set-up, maintain, assist, support and/or, help in setting up, running and/or, maintaining of libraries, research centers, laboratories and information services to promote and facilitate the aims and objectives of the University;

(xvii) to acquire patents or licenses for general or specific purposes of all inventions or improvements or designs or innovations developed by the University and to sell, lease such patents or licences;

(xviii) to evolve, devise, undertake, implement, promote, support and/or, coordinate strategies, plans and partnerships in association with various individuals, institutions, associations, international and national bodies and countries, non-governmental organisations, Government of India and State Governments, corporate bodies, bilateral and multilateral agencies, focusing on but not limited to, public health education in general, addressing capacity building in public health, driving public health oriented research and consultancy initiatives for shaping public health policies, creating higher standards of public health, and offering customised programmes to approach and address the public health needs of the country in general and the State of Gujarat and neighbouring States in particular;

(xix) to take special measures to facilitate student and faculty exchanges between institutions across the world in the field of public health so as to improve the quality of teaching and learning and make it of global standards;

(xx) to attract further awareness and social attention on the multiple dimensions of health including physical, mental and social well being through training, education, preparation of audio-video materials and their broadcasting on various channels or media;

(xxi) to promote public health measures including nutrition, yoga, healthy lifestyle, alcohol and drug prevention, tobacco control, accident prevention, and particularly, hygiene, sanitation and cleanliness in the society, to contribute positively to the health of the society and an increase in life expectancy and the quality of life;

(xxii) to address public health inequalities due to individual behavior and risk factors due to population such as inequality, poverty and a lack of education;

(xxiii) to build highly competent group of professionals having strong knowledge of base and expertise in understanding assessing, analyzing and evaluating broad range of public health issues prevalent in community and society;

(xxiv) to promote the fundamental duties enshrined under article 51A of the Constitution of India;

(xxv) to assist Governments, through teams of experts, in preparing and implementing public health policies and programmes at the State and national level;

(xxvi) to make the field of public health more accessible to the general public as well as professionals from across different disciplines through conferences, workshops, and an extensive internet presence through social media and health blogs;

(xxvii) to work with the Central and State Governments as well as civil society organisations and the private sector with a view to creating meaningful career prospects and opportunities for public health professionals;

(xxviii) to undertake, organise, assist, promote, support and coordinate the various activities aimed at creating and stimulating an awareness to address the increasing health challenges faced by India in general and the State of Gujarat and neighbouring States in particular, especially in rural and underserved areas.

University open to all.

5. 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 sole ground of sex, race, creed, caste, class, place of birth, nationality, religious belief or political or other opinion.

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 functions, namely:-

(i) to administer and manage the University and such campuses, within the State of Gujarat for research, education, training and instructions as are necessary for the furtherance of the objects of the University;

(ii) to conduct and to prescribe course and curricula, evaluation methods and standards, and provide for flexibility in the education system and delivery methodologies including distance learning;

(iii) to confer degrees, diplomas or grant certificates, and other academic distinctions or titles on persons subject to such conditions as the University may determine, and to withdraw or cancel such degrees, diplomas, certificates, or other academic distinctions or titles in the manner prescribed by the regulations;

(iv) to confer honorary degrees or other distinctions and withdraw them in the manner prescribed by the regulations;

(v) to establish libraries, specialized study centers, and units for research and laboratories, studios, museums, or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;

(vi) to conduct research in field practice areas to draw hypothesis, collect and analyse data and make conclusions for research and consulting projects as well as academic curricula;

(vii) to collaborate or associate with, advise and to 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 conductive to their common objects;

(viii) to fix, demand and receive or recover fees and such other charges in accordance with the guidelines issued by the University;

(ix) to prescribe by regulations the 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;

(x) to create academic, technical, administrative and other posts and to make appointments thereto;

(xi) to supervise and control the hostels and regulate the discipline of students of the University and to make arrangements for promoting their health and general welfare and cultural and sports activities;

(xii) to appoint as deans, head of departments, professors, emeritus professors, adjunct and visiting professors, associate professors, assistant professors, readers, lectures or otherwise as teachers and researchers of the University;

(xiii) 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;

(xiv) to receive funds from industry, national and international organizations, Government or any other source as grants, gifts, donations, benefactions, bequests and by transfers of movable and immovable properties under the intimation of the State Government;

(xv) 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;

(xvi) to sell, exchange, lease or otherwise dispose of movable or immovable property of the University, on such terms as it may think fit and consistent with the interest, activities and objects of the University:

Provided that the University shall not sell, exchange, lease or otherwise dispose of any 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;

(xvii) 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 any money borrowed;

(xviii) to invest the funds of the University on or upon such securities and transpose any investment from time to time in such manner as may be prescribed by the regulations;

(xix) 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 authorities of the University or to any officer of the University;

(xx) to receive and manage grant-in-aid or other financial assistance from the State Government or the Central Government, foreign Governments or trusts or private organisations;

(xxi) to maintain the standard and quality of education and research conducted on behalf of the University; and

(xxii) to do all such acts and things as may be necessary to further the objects of the University to cultivate and promote the education and research in the field of public health.

CHAPTER III
OFFICERS OF UNIVERSITY

Officers of University.

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

(i) the President,
(ii) the Director,
(iii) the Registrar, and
(iv) such other persons as may be declared by regulations to be the officers of the University.

President.

8. (1) The President shall be a person of eminence having distinguished himself in his field, and preferably in the field of public health, public administration, health and medical or allied fields or social service. He shall be a person of vision and subscribe to the objectives and philosophy of the University and shall be deeply interested in academics.

(2) The President shall be appointed by the Sponsoring Body, in consultation with the State Government, for a period of three years by following such procedure and on such terms and conditions as may be prescribed by the regulations.

(3) He shall, by virtue of his office, be the head of the University and shall, when present, preside over at the meetings of the Governing Council and at convocation of the University and in his absence the Director shall preside at such meetings of the Governing Council and at convocation.

(4) The President 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.

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

Director.

9. (1) The Director shall be an eminent person of high repute and accomplished in the field of public health. He shall have track record of academic activities and academic administration. The Director shall be appointed by the Governing Council out of the panel of three persons recommended by the Search Committee consisting of the following members, namely:-

(i) an eminent professional, to be nominated by the Sponsoring body;
(ii) an eminent educationalist, to be nominated by the Executive Council; and
(iii) one member of the Executive Council, to be nominated by the President who shall act as the Chairperson of the committee.

(2) The Director shall be a fulltime officer of the University and shall hold office for a term of five years:

Provided that, after expiry of the term of five years, the Director shall be eligible for re-appointment for another term of five years.

(3) The Director shall be the principal executive and academic officer of the University and shall exercise general superintendence and control over the affairs of the University and shall execute the decisions of various authorities of the University. He shall-

(i) exercise general supervision of the management and control over 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 Governing Council or Executive Council or the President, as the case may be.

(4) Where in the opinion of the Director, it is necessary to take immediate action on any matter for which powers are conferred on any other authority by or under this Act, he may take such action as he deems necessary and shall immediately thereafter report his action to such officer or authority as would have in the ordinary course dealt with the matter:

Provided that if in the opinion of the concerned officer or authority such action should not have been taken by the Director, then such case shall be referred to the President, whose decision thereon shall be final.

(5) The emoluments and other terms and conditions of service of the Director shall be such as may be prescribed by the regulations.

(6) If President, on representation made or otherwise, and after making such inquiry as may be necessary, is of the opinion that the continuance of the Director in the office is not in the interest of the University, he shall, by an order direct the Director to relinquish his office from the date specified in the order. Such order of the President shall be subject to the ratification by the Governing Council:

Provided that before taking an action under this sub-section, the Director shall be given an opportunity of being heard.

Registrar.

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

(2) The Registrar shall exercise the following powers and perform 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 Governing Council and other authorities of the University, all such information as may be necessary for transaction of their business;

(iii) such other powers and duties as may be prescribed by the regulations.

CHAPTER IV
AUTHORITIES OF UNIVERSITY

Authorities of University.

11. The following shall be the authorities of the University, namely:-

(i) the Governing Council,

(ii) the Executive Council,

(iii) the Academic and Research Council,

(iv) the Finance Committee, and

(v) such other authorities as may be declared by the regulations to be the authorities of the University.

Governing Council.

12. (1) The Governing Council of the University shall consist of the following members, namely:-

(i) the President;

(ii) the Director;

(iii) (a) the Secretary to Government, Health and Family Welfare Department (MSME), or his representative not below the rank of Deputy Secretary to Government;

(b) the Secretary to Government, Health and Family Welfare Department (P H & F W) or his representative not below the rank of Deputy Secretary to Government;

(iv) the Director or the Additional Director of Public Health of Government of Gujarat- e*x-officio;*

(v) five persons, to be nominated by the Sponsoring Body representing eminent experts in the field of education, public health and allied disciplines, public administration, industry and social work;

(vi) one member representing Central Government not below the rank of Joint Secretary to Government, to be nominated by the Government of Gujarat in consultation with the Central Government-*ex officio*;

(vii) two Patrons, to be nominated by the Governing Council.

(2) The President shall be the Chairperson of the Governing Council.

(3) (a) the term of nominated members of the Governing Council shall be three years from the date of their nomination;

(b) an *ex-officio* member shall continue so long as he holds the office by virtue of which he is such a member;

(c) a member may be re-nominated for one more term only;

(d) a member may resign his office by writing under his hand, addressed to the Chairperson of the Governing Council, but he shall continue in office until his resignation has been accepted by the Chairperson.

(4) The Governing Council shall be the supreme authority of the University. All movable and immovable property of the University shall vest in the Governing Council.

(5) The Governing Council shall have the following powers, namely:-

(i) to control functioning of the University by using all such powers as are provided by or under this Act, the regulations or the statutes made thereunder;

(ii) to review the decisions of other authorities of the University in case they are not in conformity with the provisions of this Act, or the regulations made under this Act;

(iii) to approve the budget and annual report of the University;

(iv) to lay down the extensive policies to be followed by the University;

(v) such other powers as may be prescribed by the regulations.

(6) The Governing Council shall meet at least once in a calendar year.

(7) Minimum four members shall form a quorum for a meeting of the Governing Council.

(8) A member of the Governing Council shall cease to be a member, if he-

(i) tenders his resignation and such resignation is accepted; or

(ii) becomes of unsound mind and stands so declared by a competent court; or

(iii) becomes insolvent; or

(iv) has been convicted of an offence involving moral turpitude.

Executive Council.

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

(i) the President,

(ii) the Director,

(iii) two members of the Governing Council, to be nominated by the Sponsoring Body;

(iv) two persons who are not the members of the Governing Council, to be nominated by the Sponsoring Body;

(v) two persons from amongst the faculty members of the University, to be nominated by the President;

(vi) two experts in public health, to be nominated by the Governing Council.

(2) The Registrar shall be the Member-Secretary of the Executive Council.

(3) The President shall be the Chairperson of the Executive Council:

Provided that the President may at his discretion, nominate any of the two members of the Governing Council to be the Chairperson of the Executive Council.

(4) The Executive Council shall meet at least three times in a calendar year.

(5) Four members shall form a quorum for a meeting of the Executive Council.

Powers and functions of Executive Council.

14. (1) Subject to the provisions of this Act, the Executive Council shall be responsible for the general superintendence, direction and control of the affairs of the University and shall exercise all powers of the University.

(2) The Executive Council shall have power to review the acts of all subordinate organizational structures including the Academic and Research Council, Finance Committee and other authorities.

(3) Without prejudice to the provisions of sub-sections (1) and (2), the Executive Council 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 take decisions regarding courses of study at the University;
(iii) to make regulations;
(iv) to consider and approve the annual report and the annual accounts of the University;
(v) to invest moneys and funds of the University and take decisions on the recommendations of Finance Committee;
(vi) to create or abolish posts of teachers and other employees of the University;
(vii) to appoint such committees as it considers necessary for the exercise of its powers and the performance of its duties under this Act;
(viii) to appoint members of the committees subject to the regulations made under this Act;
(ix) to delegate any of its powers to the Registrar, Deans, Deputy Deans or any other officer, employee or authority (except Governing Council) of the University or to a committee appointed by it; and
(x) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by this Act or the regulations, and all such other powers for achieving the objects of the University.

Term of office and vacancies in Executive Council.

15. (1) The term of office of the nominated member of the Executive Council shall be 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 Executive Council 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 Executive Council, 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 Executive Council shall cease to be a member, if he:-

(i) tenders his resignation and such resignation is accepted; or
(ii) becomes of unsound mind and stands so declared by a competent court; or
(iii) becomes insolvent; or
(iv) has been convicted of an offence involving moral turpitude.

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

(7) Any vacancy in the Executive Council 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 the office had the vacancy not occurred.

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

Constitution, powers and functions of Academic and Research Council.

16. (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 Heads of Departments of all post-graduate programmes, one of whom shall be the Secretary of the Council;
(iii) three expert academicians from other Universities, research organisations or public health agencies, to be nominated by the President,
(iv) Faculties of University not exceeding three, to be nominated by the Director;
(v) the Registrar.

(2) The term of office of the members shall be three years.

(3) The Academic and Research Council of the University shall have the following powers, 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 general regulation and be responsible for the maintenance and improvement of standard of instruction, education and evaluation;
(iii) to approve new programmes and to approve changes or modifications in existing programmes;
(iv) to approve programmes offered through distance education;
(v) to receive reports of the Deans, Director and persons in-charge of academic programmes and make suitable recommendations in academic matters of programmes;
(vi) to recommend to the University, the Deans and the persons in-charge of various academic programmes to make suitable changes in the programmes including methods of assessment;
(vii) to initiate or approve research programmes including collaborative research;
(viii) to initiate or approve collaboration with other Universities;
(ix) to encourage and develop joint inter-disciplinary programmes;
(x) to exercise such other powers and perform such other functions as may be conferred upon it by the regulations.

(4) A member of the Academic and Research Council shall cease to be a member, if he-

(i) tenders his resignation and such resignation is accepted; or
(ii) becomes of unsound mind and stands so declared by a competent court; or
(iii) becomes insolvent; or
(iv) has been convinced of an offence involving moral turpitude.

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

Constitution, powers and functions of Finance Committee.

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

(i) the Director, who shall be the Chairman;
(ii) the Registrar;
(iii) one member of the Executive Council, to be nominated by the President;
(iv) a person who is expert in finance and management, to be nominated by the Chairman in consultation with the President;
(v) any other person that the President in consultation with the Director deems fit;
(vi) the Finance Officer of the University, who shall be the member-secretary of the Committee.

(2) The term of office of the members other than the *ex-officio* member shall be three years.

(3) The Finance Committee shall exercise the following powers and perform the following functions, namely:-

(i) to examine the annual accounts and annual budget estimates of the University and advise the Executive Committee thereon;

(ii) to review the financial position of the University from time to time;

(iii) to make recommendations to the Executive Council on all financial policy matters of the University;

(iv) to make recommendations to the Executive Councilon all proposals involving raising of funds, receipts and expenditure;

(v) to provide guidelines for investment of surplus funds;

(vi) to make recommendations to the Executive Council 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 scale, up gradation of the scale and those items which are not included in the budget, before they are placed before the Executive council;

(viii) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by the regulations;

(ix) to consider and approve plans of financial development of the University.

(4) A member of the Finance Committee shall cease to be a member, if he-

(i) tenders his resignation and such resignation is accepted; or

(ii) becomes of unsound mind and stands so declared by a competent court; or

(iii) becomes insolvent; or

(iv) has been convinced of an offence involving moral turpitude.

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

CHAPTER V
FINANCE, ACCOUNTS AND AUDITS

University Fund.

18. (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 trusts, and private individuals or institutions in name of the University;

(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 Medical Council of India, University Grants Commission or any other national or international agency, and the funds received from sponsoring body;

(iv) loans, gifts, donations, endowments, benefactions, bequests or transfers;

(v) all moneys received by the University from the collaborating institutions or organisations in terms of the provisions of the Memorandum of Understanding between the University and the institution or organisation for establishment of sponsored chairs, fellowships or infrastructure facilities of the University;

(vi) all moneys, fees, charges and consultancy fees, sponsored research fees by the University and its departments, fees of specialised trainings, conferences, etc.;

(vii) bequests, endowments funds received from individuals, donors, corporate bodies, Governments, and interests and capital gains thereof, and

(viii) all moneys received by the University in any other manner or from any other source.

(3) All funds of the University shall be deposited in the Scheduled Banks or invested in such manner as the Executive Council may decide on recommendation of the Finance 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.

Accounts and audit.

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

(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 of a firm of Chartered Accountants appointed by the Governing Council.

38 of 1949.

(3) The Accounts of the University certified by the person or firm so appointed or any other person authorised in this behalf together with the audit report thereon shall be placed before the Executive Council and thereafter before the Governing Council, and both Councils 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 a Chartered Accountant or a firm of Chartered Accountants of repute appointed by the Governing Council to ensure concurrent audit of all books of accounts, and such periodic internal audit reports shall be placed before the Governing Council for its consideration.

(6) The accounts relating to University together with the audit report shall be placed before the Governing Council 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.

20. (1) The University shall prepare each year the annual report for the financial year containing such particulars as the Governing Council may specify and shall be submitted to the Governing Council on or before such date as may be prescribed by the regulations. The Governing Council 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 Governing Council at its meeting.

(2) The copy of the annual report along with the resolution of the Governing Council thereon shall be submitted to the State Government.

CHAPTER VI
SUPPLEMENTARY PROVISIONS

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

21. (1) No permanent member of the teaching, other academic and non-teaching staff of the University shall be terminated, 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 charges.

(2) An appeal from an order of termination, dismissal, removal or reduction under sub-section (1) above shall be preferred 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 information.

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

Assessment for ascertaining the standard of teaching, etc.

23. (1) The State Government may, for the purpose of ascertaining the standard of teaching, examination and research or any matter relating to the University, cause an assessment to be made in such manner as may be prescribed by the rules.

(2) The State Government shall communicate its recommendations to the University on the basis of such assessments for corrective actions. The University shall adopt such corrective measures and comply with the recommendations.

(3) The State Government may give directions as it may deem fit if the University fails to comply with the recommendations made under sub-section (2) above within reasonable time. The directions given by the State Government shall be immediately complied by the University.

Power of State Government, to give directions, order assessments, order inquiry, appoint Administrator and dissolve University under exceptional circumstances.

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

(2) If the State Government has strong grounds to believe that the teaching standards, examinations, research or administration has deteriorated substantially and is not of acceptable level, it may cause an assessment of the same by a committee of independent professional experts in the area. The State Government shall communicate the finding of the committee and direct the University to take corrective measures as per the recommendations in the best interest of the academic work and standards. If the University is in gross violations of certain accepted academic standards of educational institutions, the State Government shall give directions for compliance within reasonable time.

(3) If the State Government has serious grounds or prima facie case to believe that the University has contravened any of the vital provisions of this Act, regulations, statutes or the rules or there is a situation of financial mismanagement or gross mal-administration in the University management, the State Government shall issue a notice directing to give reply within forty-five days' as to why an inquiry should not be ordered and administrator should not be appointed for taking over the administration of University. If the University's reply to the notice is not satisfactory, the State Government may order an inquiry as may be considered necessary.

(4) The inquiry officer or officers or committee such appointed by the Government shall have the same powers as vested in a civil court under the **V of 1908.** Code of Civil Procedure, 1908 in the matters such as summoning persons for evidence, production of documents and records from any office, etc.

(5) The report of the inquiry shall be given to the University authorities and they shall be given due opportunity to present their case before the Government. On hearing the University's side and the corrective steps proposed by the University, still if the State Government is not convinced of the genuine bonafides of the University administration and the State Government comes to the conclusion that continuation of the existing University administration will gravely harm the interest of the students, staff or future objectives of the University, or there is gross financial mismanagement and serious mal-administration, the Government may appoint an Administrator to manage the affairs of the University.

(6) The Administrator appointed under sub-section (5) by the State Government shall exercise all the powers and perform all the functions or duties of the Governing Council and other administrative bodies and officers of the University. The Administrator shall administer the affairs of the University until the last batch of the students admitted have taken their examinations and are awarded degrees and diplomas as well as committed and continuing research work which cannot be stopped in the middle is completed.

(7) After such degrees and diplomas are awarded and research work is finished, the Administrator shall give detailed report to the State Government as to whether the University should be closed or not.

(8) On receipt of the report under sub-section (7), the State Government shall dissolve the University or make alternate arrangements to manage the affairs of the University. If the University is dissolved, all the assets and liabilities of the University shall stand transferred to the sponsoring body.

Acts and proceedings not to be invalidated by vacancies.

25. No act or proceeding of the Governing Council or any authority of the University or any committee constituted under this Act or by the regulations shall be invalidated on the ground merely by reason of,-

(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.

Protection of action taken in good faith.

26. No suit or other legal proceedings shall be entertained against the University or no damages or compensation shall be claimed from the University, the President, the Director, the authorities or other 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.

Power of State Government to remove difficulties.

27. 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:

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

Filling up of casual vacancies.

28. Save as otherwise provided in this Act, when any vacancy occurs 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 as may be possible, by nomination, appointment or, as the case may be, co-option of a 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 VII
REGULATIONS AND STATUTES OF UNIVERSITY

Power to make regulations.

29. (1) Subject to the provisions of this Act, the Executive Council shall have, in addition to all other powers vested in it, the power to make regulations to provide for the administration and management of the affairs of the University. These regulations shall be ratified by the Governing Council 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) powers and functions to be exercised and discharged by the Chairperson of the Executive Council and the President;

(ii) constitution, powers and functions or duties of the authorities, bodies and other committees of the University established under this Act, the qualifications and disqualifications for membership of such authorities, term of office of the membership, appointment and removal of members thereof and other matters connected therewith;

(iii) 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) academic programmes, collaboration with other Universities and collaborative programmes, setting up centres and campuses within and without the country, distance education, research, consultancy, training and continuing education;

(v) creation of posts of Professors, Emeritus Professors, Distinguished Professors, Adjunct Professors, Visiting Professors, Associate Professors, Assistant Professors, Readers, Lecturers 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) fees and other charges which may be paid to the University for the courses, training, facilities and services provided by it;

(vii) preparation of budget estimates and maintenance of accounts;

(viii) terms and conditions applicable for association of the University with other institutions;

(ix) powers, functions or duties of the Director, Deans and other officers, teachers and employees of the University;

(x) matters relating to hostels including disciplinary control therein;

(xi) constitution of pension and provident fund;

(xii) accept donations and funds in cash or kind, movable and immovable properties and assets for the university from various sources;

(xiii) all matters which, by this Act are to be or may be prescribed by the regulations.

(3) The regulations made under this section shall be communicated to the State Government for its information and suggestions.

Statutes. 30. (1) Subject to the provisions of this Act or the rules made thereunder, statutes of the University shall provide for all or any of the following matters, namely:-

(i) accounting policy and financial procedure;
(ii) representation of teachers in the authorities of the University;
(iii) creation of new departments and abolition or restructuring of existing department;
(iv) institution of medals and prizes;
(v) procedure for creation and abolition of posts;
(vi) procedure of revision of fees;
(vii) alteration of number of seats in different disciplines;
(viii) all other matters which by or under the provision of this Act required to be prescribed by the statutes;
(ix) the admission of students to the University and their enrolment as such;
(x) the courses of study to be laid down for degrees, diplomas and certification of the University;
(xi) the award of degrees, diplomas, certificates and other academic distinctions, the minimum qualifications for the same;
(xii) the conditions for award of fellowships, scholarships, stipends, medals and prizes;
(xiii) the conduct of examinations, including the terms of office and manner of appointments and the duties of examining bodies, examiners and moderators;
(xiv) fees to be charged for the various courses, examinations, degrees or diplomas of the University;
(xv) the conditions of residence of the students of the University;
(xvi) provisions regarding disciplinary action against the students;
(xvii) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;
(xviii) the manner of co-operation and collaboration with other Universities and institutions of higher education;
(xix) such other matters which are required to be provided by the statutes by or under this Act.

(2) The statutes of the University other than the first statute shall be made by the Executive Council with approval of the Governing Council.

(3) The statutes made under sub-section (2) above shall be submitted to the State Government and it may approve or, if considers necessary, give suggestions for modifications within two months from the date of receipt.

(4) The Governing Council shall consider the modifications suggested by the State Government and return the statutes to it with its agreement to such changes or with its comments on the suggestions made by the State Government.

(5) The State Government shall consider the comments of the Governing Council and may approve the statutes with or without modifications and it shall be published by it in the *Official Gazette*, and shall come into force from the date of such publication.

First Statutes.

31. (1) The first Statutes of the University shall be made by the Governing Council and shall be submitted to the State Government for its approval.

(2) The State Government shall consider the first statutes, submitted by the University and shall approve it within two months from the date of receipt with or without modifications as may be necessary.

(3) The University shall communicate its agreements to the first statutes as approved by the State Government, and if it desires not to give effect to any or all of the modifications made by the State Government, it may give reasons therefore and after considering such reasons, the State Government may or may not accept the suggestions made by the University.

(4) The State Government shall publish the first statutes as finally approved by it, in the *Official Gazette* and thereafter it shall come into force from the date of such publication.

Admission.

32. The admission in colleges or institutions of the University shall be governed under the provisions of `the Gujarat Professional Technical Educational Colleges or Institutions (Regulations of Admission and Fixation of Fees) Act, 2007 and the Gujarat Professional Medical Educational Colleges or Institutions (Regulations of Admission and Fixation of Fees) Act, 2007.

Guj.2 of 2008.
Guj.3 of 2008.

CHAPTER VIII
RULES

Power to make rules.

33. (1) The State Government may, by notification in the *Official Gazette*, make rules for carrying out the purposes of this Act.

(2) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as may be after they are made and shall be subject to 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.

CHAPTER IX
TRANSITORY PROVISIONS

Appointment of First President.

34. Notwithstanding anything contained in the section 8, the person who holds the post of Chairperson of the Governing Council of the Indian Institute of Public Health Gandhinagar immediately before the commencement of this Act, shall be the first President of the University.

Transitory provisions for First Authorities and Officers of University.

35. (1) Notwithstanding anything contained in this Act, -

(i) the Governing Council of the Indian Institute of Public Health Gandhinagar, functioning immediately before the date of the commencement of this Act, shall be deemed to be the first Governing Council of the University constituted under this Act for a period not exceeding three years or until such Council is constituted under this Act whichever is earlier.

(ii) The Executive Committee of the Indian Institute of Public Health Gandhinagar, functioning immediately before the commencement of this Act, shall be deemed to be the first Executive Council of the University constituted under this Act for a period not exceeding three years or until such Council is constituted under this Act, whichever is earlier.

(iii) The Academic Council of the Indian Institute of Public Health Gandhinagar, functioning immediately before the commencement of this Act, shall be deemed to be the first Academic and Research Council of the University constituted under this Act for a period not exceeding three years or until such Council is constituted under this Act, or until such Council is constituted under this Act, whichever is earlier.

(iv) The Finance Committee of the Indian Institute of Public Health Gandhinagar, functioning immediately before the commencement of this Act, shall be deemed to be the first Finance Committee of the University constituted under this Act for a period not exceeding three years or until such Council is constituted under this Act, whichever is earlier.

(v) The person who holds the post of Director of Indian Institute of Public Health Gandhinagar immediately before the commencement of this Act, shall be the first Director of the University for a period not exceeding three years.

(vi) The person who holds the post of the Registrar of the Indian Institute of Public Health Gandhinagar immediately before the commencement of this Act, shall be the first Registrar of the University for a period not exceeding three years.

(vii) Other officials and Faculty of the Indian Institute of Public Health Gandhinagar, functioning immediately before the commencement of this Act, shall be deemed to be the officials and Faculty of the University and shall function as such until the appointments are made against the respective posts.

(viii) The existing regulations of the Indian Institute of Public Health Gandhinagar, in so far as they are not inconsistent with the provisions of this Act, shall apply to the University until new regulations are made under this Act.

(ix) The existing employees of the Indian Institute of Public Health Gandhinagar, and the Faculty appointed by the Public Health Foundation of India for the Indian Institute of Public Health, Gandhinagar, shall be the employees and the Faculty of the University subject to eligibility criteria and approval of the Executive Council.

Government Central Press, Gandhinagar.