

MADHYA PRADESH ADHINIYAM
No. 22 of 1973

THE MADHYA PRADESH VISHWAVIDYALAYA ADHINIYAM, 1973

Table of Contents

Sections	Page No.
CHAPTER I - THE PRELIMINARY	
1. Short title, extent and commencement.	
2. Repeal and Saving	
3. Transitory Provision.	
4. Definitions.	
CHAPTER II - THE UNIVERSITY	
5. Incorporation of University.	
6. Powers of University.	
7. Territorial Jurisdiction.	
8. Prohibition of Discrimination in all matters connected with University.	
9. Teaching in University.	
10. Inspection Of University and Colleges.	
CHAPTER III- OFFICERS OF THE UNIVERSITY	
11. Officers of University.	
12. Kuladhipati and his powers.	
13. Appointment of Kulapati.	
14. Emoluments and conditions of service of Kulapati, term of office of and vacancy in the office of Kulapati.	
15. Powers and duties of Kulapati.	
15A. Powers and duties of first Kulapati.	
15B. Rector.	
15C. State University Service.	
16. Registrar.	
17. Dean of Students' Welfare	
18A. Section 18 to cease to apply on inclusion in State University Service of certain other officers.	
CHAPTER IV - AUTHORITIES OF THE UNIVERSITY	
19. Authorities of University.	
20. Constitution of Court.	
21. Meetings of Court and quorum thereat.	
22. Powers and duties of Court.	
23. Executive Council.	
24. Power and duties of Executive Council.	

- 24A. Finance Committee and its functions.
- 25. Academic Council.
- 26. Powers and duties of Academic Council.
- 27. Faculties.
- 28. Board of Studies.
- 29. Powers and functions of Board of Studies.
- 30. Academic Planning and Evaluation Board.
- 31. Boards to be constituted.

CHAPTER V - FINANCES

- 32. University Fund.
- 33. Objects to which University Fund may be applied.

CHAPTER VI - CO-ORDINATION COMMITTEE, CENTRAL BOARDS OF STUDIES, STATUTES, ORDINANCES AND REGULATIONS.

- 34. Co-ordination Committee.
- 34A. Central Board of Studies.
- 36. Statutes how made.
- 37. Ordinances.
- 38. Ordinances how made.
- 39. Procedure regarding Ordinances.
- 40. Regulations.

CHAPTER VII- RESIDENCE OF STUDENTS', ENROLMENT AND DEGREES ETC.

- 41. Residence of students.
- 42. Hostels.
- 43. Admission to University courses.
- 44. Appointments of Examiners and Moderators.
- 45. Inspection of Colleges and reports.
- 46. Registered graduates.

CHAPTER VIII- AUDIT

- 47. Annual Reports.
- 48. Audit of Accounts.

CHAPTER IX - APPOINTMENTS TO TEACHING POSTS IN THE UNIVERSITY.

- 49. Appointment of teaching posts.
- 49A. Promotion of teachers.
- 50. Salaries of teachers paid by University.

CHAPTER X- EMERGENCY PROVISIONS.

51. State Government to assume financial control in certain circumstances.
52. Powers of State Government to apply Act in modified form with a view to provide better administration of University in certain circumstances.
53. Effect on expiration of the period of operation of notification under section 52.

CHAPTER XI- STUDENTS CONSULTATIVE COMMITTEE.

54. Student Consultative Committee.

CHAPTER XII - SUPPLEMENTRY PROVISION.

55. Disputes as to constitution of University authorities and bodies.
56. Constitution of Committees.
57. Filling of casual vacancies.
58. Proceedings of University and bodies not invalidates by vacancies.
59. Conditions of service.
60. Pension and Provident Fund.
61. Protection of acts and orders.
62. Approval for imparting instruction.
63. Classification of Teachers.
64. Term of office of members of authority of University.
65. Resignation of member or officer of University. .
66. Disqualifications for being members of authority.
67. Power of to remove members from register of graduates or any authority of body of University.
68. Removal of difficulties.
69. Modification of this Act in its application to the University established after 1st January 1983 or to be established at any time thereafter.

THE FIRST SCHEDULE

THE SECOND SCHEDULE PART - I

PART - II

THE THIRD SCHEDULE

THE FOURTH SCHEDULE

MADHYA PRADESH ADHINIYAM
No. 22 of 1973
THE MADHYA PRADESH VISHWAVIDYALAYA
ADHINIYAM, 1973

(Received the assent of the Governor on the 20th April 1973; assent
first published in the " Madhya Pradesh Gazette" (Extraordinary)
dated the 23rd April, 1973]

An Act to consolidate and amend the law relating to Universities
and to make better provision for the organization and administration of
Universities in Madhya Pradesh.

Be it enacted by the Madhya Pradesh Legislature in the Twenty fourth
year of the Republic of India as follows:

CHAPTER I – PRELIMINARY

1. (1). This Act may be called the Madhya Pradesh Vishwavidyalaya
Adhiniyam, 1973.

(2). It extends to the whole of Madhya Pradesh.

(3). It shall come into force on such date as the State Government may,
by notification, appoint.

2. As from the date appointed under sub-section (3) of section 1, (hereinafter
in this section and section 3 referred to as the appointed date) the following
consequences shall ensue, namely:

Repeal and Saving

(i) the enactments mentioned in the First Schedule shall stand
repealed (hereinafter in this section and section 3 referred to as the
repealed enactment);

(ii) the University established under the repealed enactments shall be
the Universities established under the Act and shall be known by
the names of the respective Universities with head-quarters at
places and territorial jurisdiction over the areas as specified in the
Second Schedule;

(iii) all the assets and liabilities of the respective Universities referred
to in clause (ii) shall vest in the respective Universities deemed to
be established in their place under this Act.

(iv) all suits or other legal proceedings instituted by or against the
respective Universities under the repealed enactments may be
continued by or against the respective Universities deemed to be
established in their place under this Act.

(v) all appointments made, notifications and orders issued, degrees,

diplomas or certificates conferred or issued, privileges granted or other things done under the repealed enactments and in force immediately before the date aforesaid shall, be deemed to have been respectively made, issued, conferred granted or done under this Act.

- (vi) all Statutes, Ordinances and Regulations made by various authorities of the respective Universities under the repealed enactments and in force immediately before the date aforesaid shall, in so far as they are not inconsistent with the provisions of this Act, be deemed to be Statutes, Ordinances and Regulations made by the appropriate authorities of the respective Universities under the relevant provisions of this Act;

Provided that the Statutes and Ordinances deemed to be so shall cease to be in force on expiry of a period of one year from the appointed date or on the date of coming into force of the first Statutes, Ordinances, as the case may be, drawn up under section 34 whichever is earlier;

- (vii) all employees belonging to or under the control of the respective Universities referred to in clause (ii) immediately before the appointed date shall be deemed to be employees of the respective Universities deemed to be established in their place under this Act, on the same terms and conditions as applicable to them before the date aforesaid unless altered in accordance with the provisions of this Act and the Statutes and Ordinances made thereunder;
- (viii) all records and papers belonging to the Universities referred to in clause (ii) shall vest in the respective Universities deemed to be established in their place under this Act.

Transitory
Provision

3. Notwithstanding anything contained in this Act:

- (i) The Kulapati in office immediately before the appointed date shall continue in office for the term prescribed under the respective repealed enactments;

Provided that such Kulapati as has attained the age of sixty-four year on or before the appointed date shall continue in office for such period as the Kuladhipati may, by order, specify but such period shall not exceed the remainder of this term under the repealed enactment.

- (ii) Authorities, committees or bodies of the respective Universities constituted under the repealed enactment shall continue to function till such time as they are reconstituted in accordance with the provision or this Act, but such period shall not exceed one year from the date aforesaid,
- (iii) Life members, of any such authorities, shall cease to be

so on the expiration of the period specified in clause (ii) above, unless continued to be so in accordance with the provisions of this Act.

Definitions

4. In this Act, unless the context otherwise requires:

- (i) 'Board of Studies' means the Board of Studies of the University;
- (ii) 'Scheduled Tribes' means the Scheduled Tribes specified in relation to this State under Article 342 of the Constitution of India;
- (iii) 'Scheduled Castes' means the Scheduled castes specified in relation to this State under Article 341 of the Constitution of India;
- * (iii-a) Deleted.
- (iv) 'Employee' means any person appointed by the University and includes teachers and other staff of the University;
- (v) 'Executive Council' means the Executive Council of the University;
- (vi) 'Kulapati' means the Kulapati of the University;
- (vii) 'Kuladhipati' means the Kuladhipati of the University;
- (viii) 'Hall' means a unit of residence or of corporate life for the students of the University, College or Institution provided, maintained or recognised by the university;
- (ix) 'Statutes', 'Ordinances' and 'Regulations' means the Statutes, Ordinances and Regulations of the University as the case may be, in force for the time being;
- (x) 'Principal' means the Head of a College and includes, when there is no Principal, the person for the time being duly appointed to act as Principal;
- (xi) 'School of Studies' means an institution maintained by the University as place for higher learning and research;
- (xii) 'College' means an institution maintained by, or admitted to the privileges of the University by or under the provisions of this Act;
- (xiii) 'Head of College Department' means the head of any department of a college;
- (xiv) 'Registered graduate' means a graduate registered or deemed to be registered under the provisions of this Act;
- (xv) 'Academic Council' means the Academic Council of the University;

* Deleted vide the M.P. yishwavidyalaya (Sanshodhan) Adhinyam, 1994 (No, 19 of 1994)

- (xvi) 'Department' means a Department of Studies and includes a Centre of Studies;
- (xvii) *'University' means:
- (i) the University deemed to be established under this Act and specified in part I of the Second Schedule; and
- (ii) the University which may be established after the commencement of this Act and specified in part II of the second Schedule.'
- (xviii) 'University Grants Commission' means the Commission established under the University Grants Commission Act, 1956 (No.3 of 1956)
- (xix) 'Head of a University Department' means the head of the Teaching Department maintained by the University imparting instructions to the students of the University and includes the Director or Principal of any institute or college maintained by the University for the promotion of research or for imparting instructions, to the students of the University;
- (xx) 'Teachers of the University' means Professors, Readers, Lecturers and such other persons as may be appointed for imparting instructions or conducting research, with the approval of the Academic Council in the University or any College or Institution maintained or recognised by the University;
- (xxi) 'Person connected with a University or a College' means an employee of the University or a College, or a member of any authority or body of the University or of the management of the College;
- (xxii) 'Autonomous College' means an educational Institution declared as autonomous college by the Executive Council in accordance with the provisions of this Act;
- (xxiii) 'Faculty' means Faculty of the University;
- (xxiv) 'Affiliated College' means an institution admitted to the privileges of the University in accordance with the provisions of this Act and the Statutes;

* Vide the M. P. vishwavidyalaya (Sanshodhan) Adhiniyam, 1983 (No.23 of 1983)

- (xxv) 'Court' means the Court of the University;
- (xxvi) 'Co-ordination Committee' means the Co-ordination Committee constituted under section 34.

CHAPTER II - THE UNIVERSITY

5. (1) The Kuladhipati and Kulapati of each University specified in Part I of the Second Schedule and the members of the Court, of the Executive Council and of the Academic Council thereof shall constitute a University and the University so constituted shall be body corporate by the name of respective University specified in Part I of the Second Schedule.

Incorporation of
University

* "(i-a) The Kuladhipati, the first Kulapati, and the first members of the court, of the Executive Council and of the Academic Council of each University established after the commencement of this Act, and specified in Part II of the Second Schedule and all persons who may hereafter become such officers or members thereof are, so long as they continue to hold such office or membership, will hereby, be deemed to have constituted a body corporate by the name of the respective University specified in part II of the Second Schedule." .

- (2) The University shall have perpetual succession and a common seal and shall sued and be sued by the said name.
- (3) Subject to the provisions of this Act, the University shall be competent to acquire and hold property, both movable and immovable to lease, sell or otherwise transfer any movable or immovable property which may have become vested in, or may have been acquired by it for the purpose of the University and to contract and do all other things necessary for the purposes of this Act.
- (4) The headquarters of the University shall the located at the place specified in the Second Schedule.
6. Subject to the provisions to this Act, the University shall have the following powers namely:
- (1) to provide for instruction in such branches of learning as the University may, from time to time determine and to make provision for research and for the advancement and dissemination of knowledge;

Powers of
University

* The M.P. Vishwavidyalaya (Sanshodhan) Adhiniyam, 1983. (No.23 of 1983)

- (2) to provide instruction including of correspondence and such other courses to such persons as are not members of the University, as it may determine;

*"Provided that the University shall not provide instruction through correspondence save with the previous sanction of the state government.

- (3) to organise University laboratories, libraries, museums and other equipment for teaching and research;
- (4) to establish, Maintain and manage colleges, teaching departments, school of studies, centres of studies and halls;
- (5) (a) to institute Professorships, Readerships, Lectureships and any other academic or teaching posts required by the University and to appoint persons to such posts in accordance with provisions of this Act;
(b) to appoint persons working in any other University or organisation as teachers of the University for a specified period; .
- (6) to recognise teachers as qualified to give Instructions in colleges;
- (7) to recognise persons eminent in any subjects to guide research in that subject;
- (8) to lay down the courses of Instructions for various examinations;
- (9) to institute degrees, diplomas, certificates and other academic distinctions;
- (10) to grant subject .to such conditions as the University may determine, diplomas or certificates and confer degrees and other .academic distinctions on the basis of examination, evaluation or any other method of testing;

Provided that no person shall be admitted to an examination leading to any degree of the University, unless such person, if he has offered a subject for such examination for which a course of practical work is prescribed, has completed such work in a University Teaching Department or a School of Studies or a College and produces a certificate of such completion from the Head of the Teaching Department or School of studies or the Principal of the College:

*The Madhya Pradesh Vishwavidyalaya (Sanshodhan) Adhlniyam,1974 (no. 17 of 1974 and No. 19 of 1994)

Provided that no person shall be admitted to :

- (i) any examination in the Faculty of Science other than that leading to a degree of Bachelor of Science or a degree or Master of Science in Mathematics;
- (ii) any examination in the Faculties other than the Faculty of Arts, the Faculty of Social Science and the faculty of Commerce.

Unless he has pursued a course of studies in a University teaching Department, a School of Studies or a College:

Provided further that the State Government may by notification, permit the admission of women candidates to an examination leading to a Bachelor's degree in the faculty of Law without pursuing a course of studies in a University teaching department, School of Studies or a College.

- (11) to confer degrees and other academic distinctions on persons who have carried on research under conditions laid down in the Ordinances;
- (12) to withdraw degrees, diplomas certificates and other academic distinctions for good and sufficient reasons;
- (13) to confer honorary degrees or other academic distinctions on approved persons in the manner prescribed in the Statutes;
- (14) to provide such lectures and instructions for and to grant such diplomas and certificates to persons who are not enrolled as students of the University, as the University may determine;
- (15) to admit to its privileges colleges not maintained by the University to withdraw all or any of these privileges and to take over the management of colleges in the manner and under conditions prescribed by the Statutes or the Ordinances;
- (16) to declare a Teaching Department of the University, School of Studies or College as autonomous college:

Provided that the extent of the autonomy which such Teaching Department of the University, School of Studies or a college may have and the matters, in relation to which it may exercise such autonomy, shall be such as may be prescribed by the Statutes;

- (17) to conduct, co-ordinate, regulate and control teaching and research work in the colleges and the institutions recognised by the University.
- (18) to recognise halls not maintained by the University and withdraw any such recognition in the manner prescribed in the statutes and the Ordinances;
- (19) to inspect colleges and recognise institutions and to take measures to ensure that proper standards of instructions, teaching and training are maintained in them;
- (20) to promote with special care the educational interest of the weaker sections of the people and in particular of the Scheduled Castes and the Scheduled Tribes;
- (21) to provide to the teachers and alumni of the University facilities of refresher and vacation courses;
- (22) to co-operate and collaborate with other Universities and authorities in such manner and for such purposes as the university may determine;
- (23) to take by itself or in co-operation with other Universities or the State Government or the Union Government special measures for the promotion and the development of the study of Hindi;
- (24) to make provision for:
 - (a) Extramural teaching and extension service
 - (b) correspondence course;
 - (c) physical training;
 - (d) sports and athletic activities;
 - (e) social service schemes;
 - (f) National Cadet Corps;
 - (g) Students Union;
- (25) to provide for training for competitive examinations for service under the Union or the State Government and such other training as may contribute to national development;
- (26) to institute and manage:
 - (a) Information Bureau;
 - (b) Employment Bureau; and
 - (c) Printing and publication Department and Translation Bureau;

- (27) to supervise and control the residence conduct and discipline of students of the University and to make arrangements of promoting their health and general welfare;
- (28) to demand and receive payment of such fees and other charges as may be prescribed by the Ordinances;
- (29) to prescribe and control the fees and other charges which may be received or recovered by colleges;
- (30) to create administrative, ministerial and other necessary posts to make appointments thereto;
- (31) to exercise control over the salaried officers, teachers and other employees of the University in accordance with the Statutes and the Ordinances;
- (32) to hold and manage trusts and endowments and to institute and award fellowships, scholarships, exhibitions, bursaries, medals and other awards;
- (33) to receive donations and grants and to invest funds in accordance with the provisions of this Act;
- (34) with the prior approval of the State Government to borrow on the security of University property money for the purposes of the University;
- (35) to determine standards for admission into the University, which may include examination, evaluation or any other method of testing;
- (36) to make special arrangements in respect of women students as the University may consider desirable;
- (37) to make arrangements for promoting the health and general welfare of the employees;
- (38) to do all such acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University.

7. (1) Save as otherwise provided in this Act, the powers conferred on the University by or under this Act shall not extend beyond the limits of the territorial jurisdiction specified in the Second Schedule from time to time;

Territorial
jurisdiction

Provided that the State Government may authorise the University to associate or to admit to any of its privileges colleges situated within the state outside the aforesaid limits in accordance with the provisions of this Act and the Statutes made thereunder.

(1) Provided further that where the University provides for instruction through correspondence nothing contained in this section shall be construed to debar the University from admitting to such course of instructions students residing outside the aforesaid limits.

(2) Provided also that for imparting Oriental Sanskrit education any Sanskrit College Imparting Oriental Sanskrit education in Madhya Pradesh shall be affiliated either to Awadhesh Pratap Singh University, Rewa or any other University which the State Government may notify.

*Provided also that the State Government may, in accordance with the rules framed in this behalf, permit any University in Madhya Pradesh to collaborate with any Institution outside the State of Madhya Pradesh or abroad for carrying out partly or wholly any of its teaching or research activities.

(2) Notwithstanding anything contained in any other law for the time being in force, no college or educational institution situated within the territorial limits of any University shall be associated in any way with or be admitted to any privileges of any other University incorporated by law in India and any such privilege granted by any such other University to any educational institution within these limits prior to the date of the establishment of the University shall be deemed to be withdrawn on such establishment.

(2)(2-a) Omitted.

(2)(2-b) Omitted.

(2)(2-c) Omitted.

(2)(2-d) Omitted.

(3) Nothing contained in this section shall apply in the case of colleges or other educational Institutions:

(a) Imparting instruction exclusively in agriculture and allied sciences and admitted or deemed to be admitted to the privileges of the Jawaharlal Nehru Krishi Vishwavidyalaya under the Jawaharlal Nehru Krishi Vishwavidyalaya Act, 1963 (no. 12 of 1963); and

(b) Imparting instructions exclusively in Music and Fine arts of either of them and admitted or deemed to be admitted to the privileges of the Indira Kala Sangit Vishwavidyalaya Act, 1956 (XIX of 1956);

8. The University shall not discriminate against any citizen of India on grounds of religion, race, caste, sex, place of birth, political or other with opinion or anyone of them in the exercise of powers or performance of functions conferred or imposed upon it by or under this Act.

9. All recognised teaching in the University course, the authorities responsible for organising such teaching and courses and curriculum shall be such as may be prescribed by Statutes, Ordinances or Regulations, as the case may be.

*The Madhya Pradesh Vishwavidyalaya (Sanshodhan) Adhiniyam, 2000

(1) Vide the M. P. Vishwavidyalaya (Sanshodhan) Adhiniyam, 1974 (no. 17 of 1974)

(2) Vide the M. P. Vishwavidyalaya (Sanshodhan) Adhiniyam, 1994 (no. 19 of 1994)

Prohibition of
discrimination
in all matters
connected with
University

Teaching in
University

10. (1) The Kuladhipati may, on his own motion, and shall on a request made by the State Government cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, museums, workshops and equipment and of any College or Institution maintained by the University or admitted to its privileges, and also of the Examinations, teaching and other work conducted or done by the University and cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, Colleges or Institutions.
- (2) The Kuladhipati shall in every case, give notice of his intention to cause an inspection or inquiry to be made;
- (a) to the University, if such inspection or enquiry is to be made in respect of the University, College or institution maintained by it;
 - (b) to the management of the college or Institution if the inspection or inquiry is to be made in respect of a college or institution admitted to the Privileges of the University and the University or management, as the case may be, shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry;
- (3) Such person shall report to the Kuladhipati the result of such inspection or inquiry and the Kuladhipati shall communicate through the Kulapati to Executive Council or the said management as the case may be, his views with reference to the result of such inspection or inquiry and shall after ascertaining the opinion of the Executive Council or the management thereon advise the University or the management upon the action to be taken;
- Provided that where an inspection or inquiry is caused on a request from the State Government, the Kuladhipati shall take action under this sub- section in consultation with the State Government.
- (4) The Executive Council or the management as the case may be shall communicate through the Kulapati to the Kuladhipati such action, if any. as it has taken or may propose to take upon the result of such inspection or inquiry and such report shall be submitted within such time as the Kuladhipati may direct.
- (5) Where the Executive Council or the management does not, within a reasonable time, take action to satisfaction of the

Kuladhipati, the Kuladhipati may after considering any explanation furnish or representation made by the Executive Council or the management, issue in consultation with the State Government, such directions as he may think fit and the Executive Council or management as the case may be shall comply therewith.

CHAPTER III- OFFICERS OF THE UNIVERSITY

Officers of
University

11. The following shall be the officers of the University namely;
- (i) the Kuladhipati;
 - (ii) the Kulapati;
 - ¹(iii) the Rector;
 - (iii) the Deans of the Faculties;
 - (iv) the Registrar;
 - (v) the Dean of Students Welfare; and
 - (vi) such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

Kuladhipati
and his power

12. (1) The Governor of Madhya Pradesh shall be the Kuladhipati of the University.
- (2) The Kuladhipati shall, by virtue of his office, be the Head of the University and the President of the court and shall, when present preside at meetings of the court and at any convocation of the University.
- (3) The Kuladhipati may;
- (a) call for any papers or information relating to the affairs of the University; and
 - ²(b) for reasons to be recorded, refer any matter except a matter falling under Section 55 for reconsideration to any officer or authority of the University that has previously considered such matter.
- (4) The Kuladhipati may, by an order in writing, annul:
- (a) any proceedings of any officer, authority, Committee or body of the University, constituted by or under this Act, which is not in conformity with this Act, the Statutes, Ordinances or the Regulations, or
 - (b) any proceedings, of any authority, Committee or other body which has been referred to him by the Kulapati under sub-section (7) of section 15, if he is satisfied that such proceedings are prejudicial to, the interests Of the University;

Provided that before making such order he shall call upon the officer, authority, committee or body concerned to show cause why such an order should not be made and if any cause is shown within the time specified by him in this behalf he shall consider the same.

¹ The Madhya Pradesh Vishwavidyalaya (Sanshodhan) Adhiniyam, 1983 (No. 23 of 1983)

² Vide the M.P. Vishwavidyalaya (Sanshodhan) Adhiniyam, 1980 (No., 19 of 1980) and the M P. Vishwavidyalaya (Sanshodhan) Adhiniyam 1994 (No, 19 of 1994)