

LAW (LEGISLATIVE DRAFTING) DEPARTMENT

**(GROUP-II)
NOTIFICATION
Jaipur, March 29, 2008**

No.F.2(9) Vidhi/2/2008.- In pursuance of clause (3) of Article 348 of the constitution of India, the governer is pleased to authorise the publication in the Rajasthan Gazette of the following translation in the English language of the Singhania Vishwavidhyalaya , Pachari Bari (Jhunjhunu) Adhiniyam, 2008 (2008 Ka Adhiniyam Sankhyank 6):-

(Authorised English Translation)

**THE SINGHANIA UNIVERSITY, PACHERI BARI (JHUNJHUNU)
ACT, 2008**

***(Act No. 6 of 2008)**

(Received the assent of the Governor on the 29th day of March, 2008)

An

Act

to provide for the establishment and and incorporation of the Singhania University, Pachari Bari (Jhunjhunu) in the state of Rajasthan and matters connected therewith and incidental thereto.

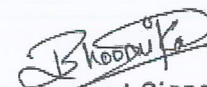
Whereas, with a view to keep pace with the rapid development in all spheres of knowledge in the world and the country it is essential to create world level modern research and study facilities in the State to provide state of the art educational facilities to the youth at their door steps so that they can make out of them human resources compatible to liberalized economic and social order of the world;

And whereas, rapid advancement in knowledge and changing requirements of human resources makes it essential that a resourceful and quick and responsive system of educational research and development be created which can work with entrepreneurial zeal under an essential regulatory set up and such a system

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- *1. Amended by The Rajasthan Private Universities Laws (Amendment) Act 2010,
2. Amended further by The Rajasthan Private Universities Laws (Amendment) Act No. 10 of 2012, received the assent of the Governor on the 30th day of April 2012
3. Amended further by The Rajasthan Private Universities Laws (Amendment) Act No. 10 of 2013, received the assent of the Governor on the 23rd day of March 2013

For SINGHANIA UNIVERSITY

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Authorised Signatory

can be created by allowing the private institutions engaged in higher education having sufficient resources and experience to establish universities and by incorporating such universities with such regulatory provisions as ensure efficient working of such institutions;

And whereas, the Singhania Foundation Education Samiti, Pacheri Bari (Jhunjhunu), a society registered under the Rajasthan Societies Registration Act, 1958 having its registered office at Pacheri Bari, District – Jhunjhunu (Rajasthan) is engaged in the field of education for last several years and is running a number of educational institutions under the name of ‘Singhania Institute of Law Management and Science’ which are imparting education in the various disciplines;

And whereas, the said Singhania Foundation Education Samiti has set up educational infrastructures, both physical and academic, as specified in Schedule I, at Pacheri Bari, District- Jhunjhunu in the state of Rajasthan and has agreed to invest the said infrastructure in a University for research and studies in the disciplines specified in Schedule II and has also deposited an amount of rupees one crore to be utilized in establishment of an endowment fund in accordance with provision of this Act;

And whereas, the sufficiency of the above infrastructure has been got enquired into by a committee, appointed in this behalf by the State Government consisting of Vice-chancellor, Mohan Lal Sukhadia University, Udaipur and Secretary to the Government in the Department of Medical Education, Government of Rajasthan, Commissioner College Education, Rajasthan;

And whereas, if the aforesaid infrastructure is utilized in incorporation as a University and the said Singhania Foundation Educaiton Samiti, Pacheri Bari (Jhunjhunu) is allowed to run the University, it would contribute a long in the academic development of the people of the State;

Now, therefore, be it enacted by the Rajasthan State Legislature in the Fifty-ninth Year of the Republic of India, as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Singhania University, Pacheri Bari (Jhunjhunu) Act, 2008.

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

(3) It shall be deemed to have come into force on and from 21st October, 2007.

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

- (a) "AICTE" means All India Council of Technical Education established under All India Council of Technical Education Act, 1987 (Central Act No. 52 of 1987);
- (b) "CSIR" means the Council of Scientific and Industrial Research, New Delhi- a funding agency of the Central Government;
- (c) "DEC" means the Distance Education Council established under section 28 of Indira Gandhi National Open University Act, 1985 (Central Act No. 50 of 1985);
- (d) "Distance education" means education imparted by combination of any two or more means of communication, viz. broadcasting, telecasting, correspondence courses, seminars, contact programmes and any other such methodology;
- (e) "DST" means the Department of Science and Technology of the Central Government;
- (f) "employee" means a person appointed by the University to work in the University and includes teachers, officers and other employees of the University;
- (g) "fee" means collection made by the University from the students by whatever name it may be called, which is not refundable;
- (h) "Government" means the State Government of Rajasthan;
- (i) "higher education" means study of a curriculum or course for the pursuit of knowledge beyond 10+2 level;
- (j) "hostel" means a place of residence for the students of the University, or its colleges, institutions or centers, maintained or recognized to be as such by the University;
- (k) "ICAR" means the Indian Council of Agriculture Research, a society registered under the Societies Registration Act, 1860 (Central Act No. 21 of 1860);

- (l) "MCI" means Medical Council of India constituted under section 3 of the Indian Medical Council Act, 1956 (Central Act No. 102 of 1956);
- (m) "NAAC" means the National Assessment and Accreditation Council, Bangalore, an autonomous institution of the UGC;
- (n) "NCTE" means the National Council of Teacher Education constituted under section 3 of the National Council of Teacher Education Act, 1993 (Central Act No. 73 of 1993);
- (o) "off campus centre" means a centre of the University established by it outside the main campus operated and maintained as its constituent unit, having the University's complement of facilities, faculty and staff;
- (p) "PCI" means Pharmacy Council of India constituted under section 3 of the Pharmacy Act, 1948 (Central Act No. 8 of 1948);
- (q) "prescribed" means prescribed by Statutes made under this Act;
- (r) "regulating body" means a body established or constituted by or under any law for the time being in force laying down norms and conditions for ensuring academic standards of higher education, such as UGC AICTE, NCTE, MCI, PCI, NAAC, ICAR, DEC, CSII etc. and includes the State Government;
- (s) "rules" means the rules made under this Act;
- (t) "schedule" means the Schedule to this Act;
- (u) "Sponsoring Body" means the Singhania Foundation Education Samiti, Pacheri Bari (Jhunjhunu), a society registered under the Rajasthan Societies Registration Act, 1958 (Act No. 28 of 1958) having Registration No. 44/>/2001-2002;
- (v) "Statutes", "Ordinances" and "Regulations" mean respectively, the Statutes, Ordinances and Regulations of the University made under this Act;
- (w) "student of the University" means a person enrolled in the University for taking a course of study for a degree, diploma or other academic

distinction duly instituted by the University, including a research degree;

(x) "study centre" means a centre established and maintained or recognized by the University for the purpose of advising, counseling or for rendering any other assistance required by the students in the context of distance education;

(y) "teacher" means a Professor, Reader, Lecturer or any other person required to impart education or to guide research or to render guidance in any other form to the students for pursuing a course of study of the University;

(z) "UGC" means the University Grants Commission, established under section 4 of the University Grants Commission Act, 1956 (Central Act No. 3 of 1956); and

(za) "University" means the Singhania University, Pacheri Bari (Jhunjhunu).

3. incorporation. - (1) The first †Chairperson and the first †President of the University and the first members of the Board of Management and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of Singhania University, Pacheri Bari (Jhunjhunu).

(2) The movable and immovable property specified in the Schedule I shall be vested in the University and the Sponsoring Body shall immediately after the commencement of this Act, take steps for such vesting.

(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 situate and have its headquarters at Pacheri Bari (Jhunjhunu), (Rajasthan).

4. The objects of the University-The objects of the University shall be to undertake research and studies in the disciplines specified in Schedule II and such other disciplines as the University may with the prior approval of the State Government, determine from time to time and to achieve excellence and impart and disseminate knowledge in the said disciplines.

5. Powers and functions of the University. -The University shall have the following powers and functions, namely:-

- (a) to provide for instruction in the disciplines specified in Schedule II and to make provisions for research and for the advancement and dissemination of knowledge;
- (b) to grant, subject to such conditions as the University may determine, diplomas or certificate, and confer degrees or other academic distinctions on the basis of examinations, evaluation or any other method of testing on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;
- (c) to organize and to undertake extra-mural studies and extension service;
- (d) to confer honorary degrees or other distinctions in the manner prescribed;
- (e) to provide instruction, including correspondence and such other courses, as it may determine;
- (f) to institute Professorships, Readerships, lecturerships and other teaching or academic posts required by the University and to make appointment thereto;
- (g) to create administrative, ministerial and other posts and to make appointments thereto;
- (h) to appoint persons working in any other university or organization having specific knowledge permanently or for a specified period;
- (i) to co-operate, collaborate or associate with any other university or authority or institution in such manner and for such purpose as the University may determine;

- (j) to establish study centers and maintain schools, institutions and such centers, specialized laboratories or other units for research and instructions as are in the opinion of the University, necessary for the furtherance of its object;
- (k) to institute and award fellowships, scholarships, studentships, medals and prizes;
- (l) to establish and maintain hostels for students of the University;
- (m) to make provisions for research and consultancy, and for that purpose to enter into such arrangements with other institutions or bodies as the University may deem necessary;
- (n) to determine standards for admission into the University, which may include examination, evaluation or any other method of testing;
- (o) to demand and receive payment of fees and other charges;
- (p) to supervise the residences of the students of the University and to make arrangements for the promotion of their health and general welfare;
- (q) to make special arrangements in respect of women students as the University may consider desirable;
- (r) to regulate and enforce discipline among the employees and students of the University and take such disciplinary measures in this regard as may be deemed necessary by the University;
- (s) to make arrangements for promoting the health and general welfare of the employees of the University;
- (t) to receive donations and acquire, hold, manage and dispose of any movable or immovable property;
- (u) to borrow money with the approval of the Sponsoring Body for the purposes of the University;
- (v) to mortgage or hypothecate the property of the University with the approval of the Sponsoring Body;
- (w) to establish examination centers;
- (x) to ensure that the standard of degrees, diplomas, certificates and other academic distinctions are not lower than those laid down by AICTE,

NCTE, UGC, MCI, PCI and other similar bodies established by or under any law for the time being in force for the regulation of education;

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**(y) to set up off campus centre within the State, subject to the provisions of any other law or the time being in force; and

(z) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.

6. University to be self-financed. -The University shall be self-financed and shall not be entitled to receive any grant or other financial assistance from the State Government.

7. No power of affiliation. -The University shall have no power to affiliate or otherwise admit to its privileges any other institution.

8. Endowment Fund. - (1) There shall be established an Endowment Fund, as soon as may be after coming into force of this Act with an amount of rupees one crore which has been deposited by the Sponsoring Body with the State Government.

(2) The Endowment Fund shall be used as security deposit to ensure that the University complies with the provisions of this Act and functions as per provisions of this Act, Statutes and Ordinances. The State Government shall have the powers to forfeit in the prescribed manner, a part or whole of the Endowment Fund in case the University or the Sponsoring Body contravenes any of the provisions of this Act or Statutes, Ordinances, Regulations or rules made thereunder.

(3) Income from the Endowment Fund may be utilised for development of infrastructure of the University but shall not be utilised to meet out the recurring expenditure of the University.

**as amended by the Rajasthan Private Universities Laws (Amendment) Act No. 10 of 2010

(4) The amount of the Endowment Fund shall be invested and kept invested until the dissolution of the University in long term securities issued or guaranteed by the State Government or deposited and kept deposited until the dissolution of the University in the interest bearing Personal Deposit Account of the Sponsoring Body in the Government Treasury.

(5) In case of investment in long term security, the certificates of the securities shall be kept in the safe custody of the State Government and in case of deposit in the interest bearing Personal Deposit Account in Government Treasury, the deposit shall be made with the condition that the amount shall not be withdrawn without the permission of the State Government.

9. General Fund. -The University shall establish a fund, which shall be called the General Fund to which following shall be credited, namely:-

- (a) fees and other charges received by the University;
- (b) any contributions made by the Sponsoring Body;
- (c) any income received from consultancy and other work undertaken by the University in pursuance of its objectives;
- (d) trusts, bequests, donations, endowments and any other grants; and
- (e) all other sums received by the University.

10. Application of General Fund.-The General Fund shall be utilized for meeting all expenses, recurring or non-recurring in connection with the affairs of the University:

Provided that no expenditure shall be incurred by the University in excess of the limits for total recurring expenditure and total non-recurring expenditure for the year, as may be fixed by the Board of Management, without the prior approval of the Board of Management.

†11. Officers of the University.-The following shall be the officers of the University, namely:-

- (i) the Chairperson;
- (ii) the President;
- (iii) the Pro-President;

†as amended by The Rajasthan Private Universities Laws (Amendment) Act 2010.

- (iv) the Provost;
- (v) the Proctor;
- (vi) the Deans of Faculties;
- (vii) the Registrar;
- (viii) the Chief Finance and Accounts Officer; and
- (ix) such other officers as may be declared by the Statutes to be the officers of the University.

12. The Chairperson. - ††(1) The Chairperson shall be appointed by the Sponsoring Body with the consent of the State Government for a period of five years from the date on which he enters upon his office:

Provided that a Chairperson shall notwithstanding the expiration of his term continue to hold office until his successor enters upon the office.

(2) Any vacancy in the office of Chairperson shall be filled within six months from the date of such vacancy.

(3) The Chairperson shall, by virtue of his office, be the head of the University.

(4) The Chairperson shall, if present, preside at the meetings of the Board of Management and at the convocation of the University for Conferring Degrees, diplomas or other academic distinctions.

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

- (a) to call for any information or record in connection with the affairs of the University;
- (b) to appoint the President;
- (c) to remove the President in accordance with the provisions of sub-section (8) of section 13; and
- (d) such other powers as may be prescribed by the Statutes.

†† as amended by The Rajasthan Private Universities Laws (Amendment) Act No. 3 of 2013.

13. The President. -(1) The President shall be appointed by the Chairperson from a panel of three persons recommended by the Board of Management and shall, subject to the provisions contained in sub-section (8), hold office for a term of three years:

Provided that, after expiry of the term of three years, a person shall be eligible for re-appointment for another term of three years:

Provided further that a President shall notwithstanding the expiration of his term to continue to hold until his successor enters upon the office.

(2) Any vacancy in the office of President shall be filled within six months from the date of such vacancy

(3) The President 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 the authorities of the University.

(4) The President shall preside at the convocation of the University in the absence of the Chairperson.

(5) If in the opinion of the President 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 at the earliest opportunity 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 President then such case shall be referred to the Chairperson, whose decision thereon shall be final:

Provided further that where any such action taken by the President affects any person in the service of the University, such person shall be entitled to prefer, within three months from the date on which such action is communicated to him, an appeal to the Board of Management and the Board of Management may confirm or modify or reverse the action taken by the President.

(6) If, in the opinion of the President, any decision of any authority of the University is outside the powers conferred by this Act or Statutes, Ordinances, Regulations or rules made thereunder or is likely to be prejudicial to the interests of the University, he shall direct the concerned authority to revise its decision within fifteen days from the date of its decision and in case the authority refuses or fails to revise such decision, then such matter shall be referred to the Chairperson and his decision thereon shall be final.

(7) The President shall exercise such other powers and perform such other duties as may be prescribed by the Statutes or the Ordinances.

(8) If the Chairperson is satisfied, on an enquiry made or caused to be made on a representation made to him or otherwise, that the continuance of President in his office is prejudicial to the interest of the University or the situation so warrants, he may, by an order in writing and stating the reasons therein for doing so, ask the President to relinquish his office from such date as may be specified in the order:

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

14. The Pro-President. -(1) The Pro-President shall be appointed by the Chairperson in consultation with the President.

(2) The Pro-President shall hold office for a period of three years and shall be eligible for re-appointment for a second term.

(3) The conditions of service of the Pro- President shall be such as may be prescribed by the Statutes.

(4) If the Chairperson is satisfied, on an enquiry made or caused to be made on a representation made to him or otherwise, that the continuance of the Pro-President in his office is prejudicial to the interest of the University or the situation so warrants, he may, by an order in writing and stating the reasons therein for doing so, ask the Pro-President to relinquish his office from such date as may be specified in the order:

Provided that before taking an action under this subsection, the Pro-President shall be given an opportunity of being heard.

(5) The Pro-President shall assist the President in such matters as are assigned to him by the President from time to time and shall exercise such powers and perform such functions as may be delegated to him by the President.

15. The Provost. -(1) The Provost shall be appointed by the President for such period and in such manner as may be prescribed by the Statutes.

(2) The Provost shall ensure discipline in the University and shall keep the various unions of the teachers and employees advised of the various policies and practices in the University.

(3) The Provost shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

16. The Proctor. -(1) The Proctor shall be appointed by the President for such period and in such manner as may be prescribed by the Statutes.

(2) The Proctor shall be responsible for the maintenance of discipline among the students and keep the various students unions advised of the various policies and practices in the University.

(3) The Proctor shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

17. The Dean of Faculty. -(1) There shall be a Dean of each Faculty who shall be appointed by the President for a period of three years in such manner as may be prescribed by the Statutes.

(2) The Dean shall convene meetings of the faculty, as and when required, in consultation with the President and shall preside over the same. He shall formulate the policies and development programme of the faculty and present the same to the appropriate authorities for their consideration.

(3) The Dean of Faculty shall exercise such other power and perform such other duties as may be prescribed by the Statute.

18. The Registrar. -(1) The Registrar shall be appointed by the chairperson, in such manner as may be prescribed by the Statutes.

(2) All contracts shall be signed and all documents and records shall be authenticated the Registrar on behalf of the University.

(3) The Registrar shall be the Member Secretary of the Board of Management and Academic Council but he shall not have a right to vote.

(4) The Registrar shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

19. The Chief Finance and Accounts Officer. -(1) The Chief Finance and Accounts Officer shall be appointed by the President in such manner as may be prescribed by the Statutes.

(2) The Chief Finance and Accounts Officer shall exercise such powers and perform such duties as may be prescribed by the Statutes.

20. Other officers. -(1) The University may appoint such other officers as may be necessary for its functioning.

(2) The manner of appointment and powers and functions of such officers shall be such as may be prescribed by the Statutes.

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

(i) the Board of Management;

(ii) the Academic Council;

(iii) the Faculties; and

(iv) such other authorities as may be declared by the Statutes to be the authorities of the University.

22. The Board of Management. -(1) The Board of Management of the University shall consist of the following, namely:-

(a) the Chairperson;

(b) the President;

(c) five persons nominated by the Sponsoring Body out of whom two shall be eminent educationists;

(d) one expert of management or information technology from outside the University, nominated by the Chairperson;

(e) one expert of finance, nominated by the Chairperson;

(f) commissioner, College Education or his nominee not below the rank of Deputy Secretary; and

(g) two teachers, nominated by the President.

(2) The Board of Management shall be the principal executive body of the University. All the movable and immovable property of the University shall vest in the Board of Management.

It shall have the following powers, namely: -

(a) to provide general superintendence and directions and to control the functioning of the University by using all such powers as are provided by this Act or the Statutes, Ordinances, Regulations or rules made thereunder;

(b) 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 Statutes, Ordinances, Regulations or rules made thereunder;

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

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

(e) to recommend to the Sponsoring Body about the voluntary liquidation of the University if a situation arises when smooth functioning of the University does not remain possible, in spite of all efforts; and

(f) such other powers as may be prescribed by the Statutes.

(3) The Board of Management shall meet at least three times in a calendar year.

(4) The quorum for meetings of the Board of Management shall be five.

23. The Academic Council-(1) The Academic Council shall consist of the President and such other members as may be prescribed by the Statutes.

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

(3) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act and the rules, Regulations, Statutes or Ordinances, made thereunder, co-ordinate and exercise general supervision over the academic policies of the University.

(4) The quorum for meetings of the Academic Council shall be such as may be prescribed by the Statutes.

24. Other authorities. -The composition, constitution, powers and functions of other authorities of the University shall be such as may be prescribed by the Statutes.

25. Disqualification for membership of an authority. – A person shall be disqualified for being a member of any of the authorities of the University, if he-

- (a) is of unsound mind and stands so declared by a competent court;
- (b) is an undischarged insolvent;
- (c) has been convicted of any offence involving moral turpitude;
- (d) is conducting or engaging himself in private coaching classes; or
- (e) has been punished for indulging in or promoting unfair practice in the conduct of any examination, in any form, anywhere.

26. Vacancies not to invalidate the proceedings of any authority of the University. -No act or proceeding of any authority of the University shall be invalid merely by reason of any vacancy or defect in the constitution thereof.

27. Filling up of emergent vacancies.- Any vacancies occurred in the membership of authorities of the University due to death, resignation or removal of a member or due to change of capacity in which he was appointed or nominated, shall be filled up as early as possible by the person or the body who had appointed or nominated such a member.

Provided that the person appointed or nominated as a member of an authority of the University on an emergent vacancy, shall remain member of such