

University Act

University > University Act

THE MANONMANIAM SUNDARANAR UNIVEBSITY ACT, 1990

Received the assent of the Governor on the 26th 1990, first published in the Tamil Nadu Act No. 31 of 1990

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An Act to provide for the establishment and incorporation of a University at Tirunelveli. Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-first year of the Republic of India as follows:

## CHAPTER I.

PRELIMINARY.

1. (1) This Act may be called the Manonmaniam Sundaranar University Act, 1990.

(2) It extends to the area comprising the districts of Tirunelveli Kattabomman, Chidambaranar and Kanniyakumari in the State of Tamil Nadu.

(3) It applies to all colleges and institutions situate within the University area and affiliated to, or approved by, the University in accordance with the provisions of this Act or the statutes, ordinances and regulations made there under and also to all colleges and institutions deemed to be affiliated to, or approved by, the University under this Act.

(4) This section and sections 2,3,4,5,8,9,10,11, 12, 13, 14, 15, 17, 18, 45, 54, 55, 56 and 64 shall come into force at once and the rest of this Act shall come into force on such date as the Government may, by notification, appoint.

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

(a) "affiliated college" means any college, situated within the University area and affiliated to the University and providing courses of study for admission to the examinations for degrees of the University and includes a college deemed to be affiliated to the University under this Act;

(b) "approved college" means any college situate within the University area and approved by the University and providing courses of study for admission to the examinations for titles and diplomas of the University and includes a college deemed to be approved by the University under this Act;

(c) "autonomous college" means any college designated as an autonomous college by statutes;

(d) "college" means any college or any institution maintained or approved by, or affiliated to, the University and providing courses of study for admission to the examinations of the University;

(e) "Government" means the State Government;

(f) "hostel" means a unit of residence for the students of the University maintained or recognised by the University in accordance with the provisions of this Act and includes a hostel deemed to be recognised by the University under this Act;

(g) "notified date" means the date specified in the notification issued under sub-section(4) of section 1;

(h) "post-graduate college" means a University college or an affiliated college situated within the University area and providing post-graduate courses of study leading up to the post-graduate degrees of the University;

- (i) "prescribed" means prescribed by this Act or the statutes, ordinances or regulations;
- (j) "principal" means the head of a college;
- (k) "professional college" means a college established or maintained by the University or affiliated to the University and providing courses of study leading up to the professional degrees of the University;
- (l) "registered graduate" means a graduate registered under this Act;
- (m) "Statutes", "ordinances", and "regulations" means, respectively, the statutes, ordinances and regulations of the University made or continued in force under this Act;
- (n) "teachers" means such Lecturers Readers, Assistant Professors, Professors and other person giving instruction in University colleges or laboratories, in affiliated or approved colleges, or in hostels, and librarians as may be declared by the statutes to be teachers;
- (o) "teachers of the University" means persons appointed by the University to give instruction on its behalf;
- (p) "University" means the Manonmaniam Sundaranar University.
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- q) "University area" means the area to which this Act extends under sub-section (2) of section 1;
- (r) "University centre" means any area within the University area recognised by the Government on the recommendation of the University and containing one or more colleges competent to engage in higher teaching and research work and to promote University life in a manner calculated to prepare for the institution of a new University.
- (s) "University college" means a college or a college combined with a research institute maintained by the University, whether instituted by it or not, and providing courses of study leading up to the post-graduate and professional degrees of the University;
- (t) "University Grants Commission" means the Commission established under section 4 of the University Grants Commission Act, 1956;
- (u) "University laboratory" means a laboratory maintained by the University, whether instituted by it or not, and intended for the carrying on and advancement of research work;
- (v) "University Lecturer", "University Reader" or "University Professor" means a Lecturer, Reader or professor, respectively, appointed or deemed to be appointed as such by the University;
- (w) "University library" means a library maintained by the University, whether instituted by it or not.

## CHAPTER II

THE UNIVERSITY.

3. (1) There shall be a University by the name the Manonmaniam Sundaranar University

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

(3) The headquarters of the University shall be located within the limits of the Tirunelveli Municipality or in any place within radius of twenty-five kilometers around those limits.

(4) The University shall have the following objects powers, namely;

(1) to provide for instruction and training in such branches of learning as it may determine;

(2) to provide for research and for the advancement and dissemination of knowledge;

(3) to institute degrees, titles, diplomas and other academic distinctions;

(4) to hold, examinations and to confer degrees, titles, diplomas and other academic distinctions on persons who -

(a) shall have pursued an approved course of study in a University college or laboratory or in an affiliated or approved colleges, unless exempted there from in the manner prescribed by the statutes and shall have passed the prescribed examinations of the University; or

(b) shall have carried on research under conditions prescribed;

(5) to confer degrees, titles, diplomas and other academic distinctions on persons who shall have pursued an approved course of study in an autonomous college;

(6) to hold examinations and to confer degrees, titles diplomas and other academic distinctions on persons who shall have pursued an approved course of study by correspondence; whether residing within the University area or not, and to provide such lectures and instructions for persons not being residents within the University area under conditions prescribed:

(7) to confer honorary degrees or other academic distinctions under conditions prescribed;

(8) to institute, maintain and manage institutes of research, University colleges and laboratories, libraries, museums and other institutions necessary to carry out the objects of the University;

(9) to affiliate colleges to the University as affiliated, professional or post graduate colleges under conditions prescribed and to withdraw affiliation from colleges;

(10) to approve colleges providing courses of study for admission to the examinations for titles and diplomas of the University under conditions prescribed and to withdraw such approval;



- (11) to designate any college as an autonomous college" with the concurrence of the Government, in the manner and under conditions prescribed and to cancel such designation;
- (12) to institute lectureships, readerships, professorships and any other teaching posts required by the University and to appoint persons to such lectureships, readerships, professorships and other teaching posts;
- (13) to institute and award fellowships, travelling fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes in accordance with the statutes;
- (14) to establish, maintain and manage hostels, to recognize hostels not maintained by the University and to withdraw recognition there from;
- (15) to exercise such control over the students of the University through the colleges as will secure their health and well-being and discipline;
- (16) to hold and manage endowments and other properties and funds of the University;
- (17) to borrow money, with the approval of the Government, on the security of the property of the University for the purposes of the University;
- (18) to fix fees and to demand and receive such fees as may be prescribed;
- (19) to make grants from the funds of the University for the maintenance of a National Cadet Corps;
- (20) to institute and maintain a University Extension Board;
- (21) to institute and provide funds for the maintenance of-
- (a) a publication bureau;
  - (b) an employment bureau;
  - (c) students' unions;
  - (d) University athletic clubs; and
  - (e) other similar associations;
- (22) to encourage co-operation among the colleges, laboratories and institutes in the University area and co-operate with other Universities and other authorities in such manner and for such purposes as the University may determine;
- (23) to recommend to the Government the recognition of any area within the University area as a University Centre; and
- (24) generally to do all such other acts and things as may be necessary or desirable to further the objects of the University.

5. (1) No college within the University area shall be affiliated to any University other, than the Maonmaniam Sundaranar University

(2) No institution affiliated to, or associated with, or maintained by any other University in the State of Tamil Nadu shall be recognised by the University for any purpose except with the prior approval of the Government and the University concerned.

6. (1) No person shall be qualified for nomination or election as a member of any of the authorities of the University, if on the date of such nomination or election, he is

(a) of unsound mind or a deaf mute; or

(b) an applicant to be adjudicated as an insolvent or an undischarged insolvent; Of

(c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude.

(2) In case of dispute or doubt as to whether a person is disqualified under sub-section (1), the Syndicate shall determine and its decision shall be Final.

7(1) The Chancellor shall have the right to cause an inspection or inquiry to be made, by such person or persons as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment and of any institution maintained, recognised or approved by, or affiliated to the University and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause such inspection or inquiry to be made and the University shall be entitled to be represented thereat. Top

(2) The Chancellor shall communicate to the Syndicate his views with reference to the results of such inspection or inquiry and may, after ascertaining the opinion of the Syndicate thereon, advise the University upon the action to be taken and fix a time limit for taking such action.

(3) The Syndicate shall report to the Chancellor the action, if any, which is proposed to be taken or has been taken, /upon the results of such inspection or inquiry. Such report shall be submitted within such time as the Chancellor may direct.

(4) Where the Syndicate does not take action to the Satisfaction of the Chancellor within a reasonable time, the Chancellor may, after considering any explanation furnished or representation made by the Syndicate, issue such directions as he may think fit and the Syndicate shall comply with such directions. In the event of the Syndicate not complying with such directions within such time as may be fixed in that behalf by the Chancellor, the Chancellor shall have power to appoint any person or body to comply with such directions and make such orders as may be necessary for the expenses thereof

8. The University shall consist of the following officers namely:-

(1) The Chancellor;

- (2) The Pro-Chancellor;
- (3) The Vice-Chancellor;
- (4) The Registrar;
- (5) The Finance Officer;
- (6) The Controller of Examinations; and
- (7) Such other persons as may be declared by the statutes to the officers of the University

9. (1) The Governor of Tamil Nadu shall be the Chancellor of the University. He shall, by virtue of his office, be the head of the University and shall, when present, preside at any convocation of the University and confer degrees, titles, diplomas or other academic distinctions upon persons entitled to receive them.

(2) Where power is conferred upon the Chancellor to nominate persons to the authorities, the Chancellor shall, in consultation with the Vice-Chancellor, and to the extent necessary nominate persons to represent interests not otherwise adequately represented.

(3) The Chancellor may of his own motion or on application call for and examine the record of any officer or authority of the University in respect of any proceedings to satisfy himself as to the regularity of such proceedings or the correctness, legality or propriety of any decision taken or order passed therein, and, if, in any case, it appears to the Chancellor that any such decision or order should be modified, annulled, reversed or remitted for reconsideration, he may pass orders accordingly: Provided that every application to the Chancellor for the exercise of the powers under this section shall be preferred within three months from the date on which the proceeding, decision or order to which the application relates was communicated to the applicant: Provided further that no order prejudicial to any person shall be passed unless such person has been given an opportunity of making his representation, Top

(4) The Chancellor shall exercise such other powers and perform such other duties as may be conferred on him by or under this Act.

10. (1) The Minister in-charge of the portfolio of Education in the State of Tamil Nadu shall be the Pro-Chancellor of the University,

(2) The Pro-Chancellor shall exercise such powers and perform such duties as may be conferred on him by or under this Act.

11. (1) Every appointment of the Vice-Chancellor shall be made by the Chancellor from out of a panel of three names recommended by the Committee referred to in sub-section (2). Such panel shall not contain the name of any member of the said Committee.

(2) For the purpose of sub-section (1), the Committee shall consist of three persons of whom one shall be nominated by the Government, one shall be nominated by the Senate and one shall be nominated by the Syndicate: Provided that the person so nominated shall not be a member of any of the authorities of the University,

(3) The Vice-Chancellor shall hold office for a period of three years and shall be eligible for reappointment for a further period of three years: Provided that no person shall hold the office of the Vice-Chancellor for more than six years in the aggregate Provided further that –

(a) the Chancellor may direct that a Vice-Chancellor, whose term of office has expired, shall continue in office for such period, not exceeding a total period of one year, as may be specified in the direction;

(b) The Vice-Chancellor may, by writing under his hand addressed to the Chancellor and after giving two months notice, resign his office: Provided also that a person appointed as Vice-Chancellor shall retire from office if, during the term of his office or any extension thereof, he completes the age of sixty-five years.

(4) When any temporary vacancy occurs in the office of the Vice- Chancellor or when the Vice-Chancellor is, by reason of illness, absence or for any other reason, unable to exercise the powers and perform the duties of his office, the senior most professor of the University shall exercise the powers and perform the duties of the Vice-Chancellor till the Syndicate makes the requisite arrangements for exercising the powers and performing the duties of the Vice-Chancellor.

(5) The Vice-Chancellor shall be a whole-time officer of the University and his emoluments and other terms, and conditions of service shall be as follows: - (i) There shall be paid to the Vice-Chancellor a fixed salary of seven thousand six hundred rupees per mensem and he shall be entitled, without payment or rent, to the use of a furnished residence throughout his term of office, and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence;

(ii) The Vice- Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Syndicate with the approval of the Chancellor from time to time: Provided that, where an employee of –

(a) the University; or

(b) any other University or college or institution maintained by, or affiliated to that University, is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the Provident Fund to which he is a subscriber, and the contribution of the University shall be limited to what he had been contributing immediately before his appointment as Vice-Chancellor;Top

(iii) The Vice-Chancellor shall be entitled to travelling allowances at such rates as may be fixed by the Syndicate;

(iv) The Vice-Chancellor shall be entitled to earned leave on full pay at one-eleventh of the periods spent by him on active service: Provided that when the earned leave applied for by the Vice-Chancellor, in sufficient time before the date of expiry of the term of his office, is refused by the Chancellor the

interest of the University and if he does not avail of the leave before the date of expiry of the term of his office he shall be entitled to draw cash equivalent to leave salary after relinquishment of his office in respect of earned leave at his credit subject to a maximum of two hundred and forty days;

(v) The Vice - Chancellor shall be entitled, on medical grounds or otherwise, to leave period not exceeding three months during the term of his office: Provided that such leave may be converted into leave on full pay to the extent to which he is entitled to earned leave under clause (iv).

12 (1) The Vice-Chancellor shall be the academic head and the principal executive officer of the University and shall, in the absence of the Chancellor, and the Pro-Chancellor, preside at any convocation of the University and confer degrees, titles, diplomas or other academic distinctions upon persons entitled to receive them. He shall be a member ex-officio and Chairman of the Senate, the Syndicate, the Standing Committee on Academic Affairs and the Finance Committee and shall be entitled to be present at, and to address, any meeting of any authority of the University but shall not be entitled to vote thereat, unless he is a member of the authority concerned.

(2) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, the statutes, ordinances and regulations are observed and carried out and he may exercise all powers necessary for this purpose.

(3) The Vice-Chancellor shall have power to convene meetings of the Senate, the Syndicate, the Standing Committee on Academic Affairs and the Finance Committee.

(4) (a) The Vice-Chancellor shall have power to take action on any matter and shall by order take such action as he may deem necessary but shall, as soon as may be, thereafter report the action taken to the officer or authority or body who or which would have ordinarily dealt with the matter: Provided that no such order shall be passed unless the person likely to be affected has been given a reasonable opportunity of being heard;

(b) When the action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University such person shall be entitled to prefer an appeal to the Syndicate within thirty days from the date on which he has notice of such action. The Vice-Chancellor shall give effect to the order passed by the Syndicate on such appeal.

(5) The Vice-Chancellor shall give effect to the orders of the Syndicate regarding the appointment, suspension and dismissal of the teachers and other employees of the University.

(6) The Vice-Chancellor shall exercise control over the affairs of the University and shall be reasonable for the due maintenance of discipline in the University

(7) The Vice-Chancellor shall be responsible for the co-ordination and integration of teaching and research extension education and curriculum development.

(8) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed by statutes.

13. (1) The Registrar shall be a whole - time salaried ' officer of the University appointed by the Syndicate and the terms condition of service of the Registrar shall be as follows:-

(i) The holder of the post of Registrar shall be an academician not lower in rank than that of Professor of a college affiliated to any University;

(ii) The Registrar shall hold office for a period of three years: Provided that the Registrar shall retire on attaining the age of fifty-eight years or on the expiry, of the period specified in this clause, whichever is earlier;

(iii) The emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed;

(iv) When the office of the Registrar is vacant or when the Registrar is, by reason of illness absence or any other cause, unable to perform the duties of his office the duties of the office of the Registrar shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(2) (a) The Registrar shall have power to take disciplinary action against such of the employees, excluding teachers of the University and academic staff, as may be specified in the orders of the Syndicate and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure, or withholding of increments: Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him;

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in clause (a);

(c) In any case where the inquiry discloses that punishment beyond the powers of the Registrar is called for, The Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor along with Ins Provided that an appeal shall lie to the Syndicate against an order of the Vice-Chancellor imposing any penalty;

(d) No appeal under clause (b) or clause (c) shall be preferred after the expiry of sixty days from the date on which the order appealed against was received by the appellant.

(3) The Registrar shall be the ex-officio Secretary' to the Senate, the Syndicate, the Faculties and the Boards of Studies, but shall not be deemed to be a member of any of these authorities.

4) It shall be the duty of the Registrar, -

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

(b) to issue all notices convening meetings of the Senate, the Syndicate, the Faculties, the Boards of Studies, the Boards of Examiners and of any Committee appointed by the authorities of the University;

(c) to keep the minutes of all the proceedings, of the meetings of the Senate, the Syndicate, the Faculties, the Boards of Studies, the Boards of Examiners and of any Committee appointed by the authorities of the University;

(d) to conduct the official correspondence of the Syndicate;

(e) to supply to the Chancellor, copies of the agendas of the meetings of the authorities of the University as soon as they are issued and the minutes of the proceedings of such meetings; and

(f) to exercise such other powers and perform such other duties as may be specified in the statutes, the ordinances or the regulations or as may be required, from time to time, by the Syndicate or the Vice-Chancellor.

(5) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.

14. (1) The Finance Officer shall be a whole-time salaried officer of the University appointed by the Syndicate for such period as may be specified by the Syndicate in this behalf

(2) Every appointment of the Finance Officer shall be made by the Syndicate from out of a panel of three names recommended by the Government.

(3) The emoluments and other terms and conditions of service of the Finance Officer shall be such as may be prescribed by the ordinances.

(4) The Finance Officer shall retire on attaining the age of fifty-eight years or on the expiry of the period specified by the Syndicate under sub-section (1), whichever is earlier.

Provided that the Finance Officer shall, notwithstanding his attaining the age of fifty-eight years, continue in office until his successor is appointed and enters upon his office or until the expiry of a period of one year, whichever is earlier.

(5) When the office of the Finance Officer is vacant or when the Finance Officer is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the Finance Officer shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(6) The Finance Officer shall be the ex-officio Secretary to the Finance Committee, but shall not be deemed to be a member of such Committee.

(7) The Finance Officer shall, -

(a) exercise general supervision over the funds of the University and shall advise the University as regards its financial policy; and

(b) exercise such other powers and perform such other financial functions as may be assigned to him by the Syndicate or as may be prescribed by the statutes or the ordinances:

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding such amount as may be prescribed without the previous approval of the Syndicate.

(8) Subject to the control of- the Syndicate, the Finance Officer shall, -

(a) hold and manage the property and investments of the University including trust and endowed property;

(b) ensure that the limits fixed by the Syndicate for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted;

(c) be responsible for the preparation of annual accounts, financial estimates and the budget of the University and for their presentation to the Syndicate,

(d) keep a constant watch on the cash and bank balances and of investments;

(e) watch the progress of the collection of revenue and advise on the methods of collection employed;

(f) ensure that the registers of buildings, land, furniture and equipments are maintained up-to-date., and that stock checking is conducted of equipments and other » consumable materials in all offices, special centres, specialized laboratories and colleges maintained by the University;

(g) bring to the notice of the Vice-Chancellor any unauthorised expenditure or other financial irregularity ' and suggest appropriate action to be taken against persons at fault; and

(h) call from any office, centre, laboratory and college maintained by the University any information or returns that he may consider necessary for the performance of his duties.

(9) The receipt of the Finance Officer or of the person or persons duly authorised in this behalf by the Syndicate for any money payable to the University shall be sufficient discharge for payment of such money.

15. (1) The Controller of Examinations shall be a whole time officer of the University appointed by the Syndicate for such period and on such terms and conditions as may be prescribed.

(2) The Controller of Examinations shall exercise such powers and perform such duties as may be prescribed.

16. The authorities of the University shall be the Senate the Syndicate, the Standing Committee on Academic Affairs the Faculties, the Boards of Studies, the Finance Committee the Planning Board and such other authorities as maybe declared by the statutes to be authorities of the University.

17. (1) There shall be constituted a Planning Board of the University which shall advise generally on the planning and development of the University and keep under review the standard of education and research in the University.



(2) The Planning Board shall consist of the following members, namely: -

(i) the Vice-Chancellor, who shall be the ex-officio Chairman of the Board; and

(ii) not more than eight persons of high academic standing.

(3) The members of the Planning Board shall be appointed by the Chancellor and shall hold office for such period as he may determine.

(4) The Planning Board shall, in addition to all other powers vested in it by this Act, have the right to advise the Syndicate and the Standing Committee on Academic Affairs on any academic matter. Vice-Chancellor and other officers, etc... to be Public servants.

18. The Vice-Chancellor', the Registrar, the Finance Officer, the Controller of Examinations and other employees of the University shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.

#### AMENDMENT TO THE MANONMANUM SUNDARANAR UNIVERSITY ACT 1990

I. The following amendment to the Act of Manonmaniam Sundaranar University has been published in the Tamil Nadu Government Gazette on Wednesday September 18; 199 K

In Section 19 of the Manonmaniam Sundaranar University Act, 1990, in the proviso to clause (b) for the words provided that" the following shall be substituted namely:-

"Provided that a member of the Tamil Nadu Legislative Assembly shall cease to be a member of the Senate from the date on which he ceases to be a member of the Tamil Nadu Legislative Assembly:

Provided further that".

II. The following amendment to the Act of Manonmaniam Sundaranar University has been published in the Tamil Nadu Government Gazette on Friday, January 10, 1992

In Section 11 of the Manonmaniam Sundaranar University Act, 1990, to Sub - section (1) the following proviso shall be added, namely:-

"Provided that if the Chancellor does not approve any of the person in the panel so recommended by the Committee, he may take steps to constitute another Committee, in accordance with Sub- Section (2), to give a fresh panel of three different names and shall appoint one of the persons named in the fresh panel as the Vice- Chancellor"

Note:The Copies of the Act & Statutes can be had from the Registrar of this University on Payment.