



**Formation of Board of
Management under the
Gujarat Public Universities
Act, 2023**

**Government of Gujarat
Education Department
Circular No.GCU/2023/470/KH-1
Sachivalaya, Gandhinagar
Dated 30th October, 2023**

Read:

- 1) Gujarat Public Universities Act, 2023

Circular:

The 'Gujarat Public Universities Act – 2023' has been passed in the monsoon session of the Legislative Assembly held on 16th September, 2023 in order to unify law relating to The Maharaja Sayajirao University of Baroda, The Gujarat University, The Sardar Patel University, The Veer Narmad South Gujarat University, The Saurashtra University, The Maharaja Krishnakumarsinhji Bhavnagar University, The Hemchandracharya North Gujarat University, The Dr. Babasaheb Ambedkar Open University, The Krantiguru Shyamji Krishna Verma Kachchh University, The Bhakta Kavi Narsinh Mehta University and The Shri Govind Guru University in the State of Gujarat. The 'Gujarat Public Universities Act – 2023' was assented by Hon'ble Governor of Gujarat on 25th September, 2023 and the Act came into force in universities from 9th October, 2023.

In exercise of the powers conferred by section 46(8) of the Gujarat Public Universities Act, 2023 (Guj. 15 of 2023) (hereinafter referred to as "the said Act"), the Government of Gujarat hereby gives directions for **Constitution and Nomination of Members of the Board of Management; Mandatory and Additional criteria for nomination of the members of the Board of Management; Meetings, Notice of the meeting, Quorum, Conduct of Business and Minutes of Meeting for the Board of Management**. All the other provisions to constitute the Board of Management shall be as mentioned in the said Act shall be followed.

Formation of Board of Management:

1. Members of the Board of Management:

- a) For the member as prescribed in **14(5)(e)** of the said Act, provided that for Dr. Babasaheb Ambedkar Open University the Board of Management shall have one head, to be nominated by the Chairperson from amongst the heads of departments, on seniority basis, by rotation and also on the basis of additional criteria as may be prescribed by the Statutes.
- b) For the member as prescribed in **14(5)(g)** of the said Act, provided that for Dr. Babasaheb Ambedkar Open University the Board of Management shall have two persons representing Open and Distance Learning to be selected by the Chairperson, out of whom one shall be selected from Scheduled Castes or Scheduled Tribes or De-Notified Tribes (Vimukta Jatis) or Nomadic Tribes or Other Backward Class categories, by rotation.
- c) For the member as prescribed in **14(5)(h)** of the said Act, provided that for Dr. Babasaheb Ambedkar Open University the Board of Management shall have two representatives of college managements of the Learner Support Centres to be nominated by the Chairperson from amongst the representatives of management, and further provided that same management shall not have second consecutive institutional representation:

Provided that, out of the two representatives, one member shall be selected by rotation, from amongst the Scheduled Castes or Scheduled Tribes, or De-Notified Tribes (Vimukta Jatis) or Other Backward Class, if any.

"Learner Support Centre" means a centre established, maintained or recognised by the Higher Educational Institution for advising, counselling, providing interface between the teachers and the learners, and rendering any academic and any other related service and assistance required by the learners. (Related to Dr. Babasaheb Ambedkar Open University)

2. Mandatory Criteria for Nomination of Members of the Board of Management:

The members nominated by the Chairperson shall be from autonomous/affiliated/conducted/constituent colleges/Learner Support Centres of the concerned university which must be accredited by the National Assessment and Accreditation Council (NAAC).

3. Seniority Criteria for Nomination of Members of the Board of Management:

- 1) Seniority for nomination shall be on the basis of the date of permanent appointment.
- 2) The sequence in which a permanent appointment is made determines the seniority.
- 3) The date of commencement of duty in the institution in a permanent capacity, determines seniority. An exception to this is on a statutory absence when appointed to the post e.g. maternity leave, adoptive leave etc.
- 4) If two or more members commence duty on the same day following an interview process, their order of seniority shall be based on the order the members were ranked in the interview process. i.e. the member who was ranked highest following the interview process should be given the higher seniority ranking.
- 5) If a member leaves the institution either voluntarily or is redeployed and is subsequently reappointed to the institution in a permanent capacity at a later date, then the member's seniority shall commence from the date of re-commencement of employment in a permanent capacity. However, it is provided that if a member is sent on deputation to some other institution or posting with the consent of the parent department specifically keeping the lien on the existing post then the seniority will remain unaffected.

4. Additional Criteria for Nomination of Members of the Board of Management:

- a) Head or Director
 - (i) He/ She should be a permanent Professor and Head of Department at the University level.
 - (ii) He/ She should be a Ph.D. Guide and at least 3 students should have completed their Ph.D. Degree under his/her guideship.
 - (iii) He/ She should have at least 10 years of experience as permanent teaching faculty at the university level.
 - (iv) He/ She should have at least 12 research papers published in a peer-reviewed journal.
- b) Dean
 - (i) He/ She should be a permanent Professor/Head of Department at the University level.
 - (ii) He/ She should be a Ph.D. Guide and at least 3 students should have completed their Ph.D. Degree under his/her guideship.
 - (iii) He/ She should have at least 10 years of experience as permanent teaching faculty at the university level.
 - (iv) He/ She should have at least 12 research papers published in a peer-reviewed journal.
- c) Teachers (who are not Principals)
 - (i) He/ She should be a permanent faculty at the University level.
 - (ii) He/ She should be a Ph.D. Guide.

- (iii) He/ She should have at least 10 years of experience as permanent teaching faculty at the university level.
- (iv) He/ She should have at least 5 research papers published in a peer-reviewed journal.
- d) Teachers of affiliated/ constituent college/ Learner Support Centre
 - (i) He/ She should be a permanent faculty at affiliated/ constituent college/ Learner Support Centre of University.
 - (ii) He/ She should be a Ph.D. Guide.
 - (iii) He/ She should have at least 10 years of experience as permanent teaching faculty at affiliated/ constituent college/ Learner Support Centre of the University.
 - (iv) He/ She should have at least 5 research papers published in a peer-reviewed journal.
- e) Members of the Academic Council
 - (i) He/ She should be a permanent faculty at the University level and a member of the Academic Council.
 - (ii) He/ She should be a Ph.D. Guide.
 - (iii) He/ She should have at least 10 years of experience as permanent teaching faculty at the university level.
 - (iv) He/ She should have at least 5 research papers published in a peer-reviewed journal.
- f) **All the members of the Board of Management shall be nominated by the Chairperson as per the provisions of section 14 of the Act.**
- g) **At least one-third of the total members to be nominated by the Chairperson of the Board of Management shall be invariably women.**

5. Meetings of the Board of Management:

The Board of Management shall meet as and when required but not less than two times a year.

In exercise of the powers conferred by section 14(3) of the Act, the Government of Gujarat hereby gives directions for:

6. Notice of the Meeting for the Board of Management:

The Registrar shall issue a notice of meeting of the Board of Management at least fifteen clear days before the date of the meeting. He shall issue an agenda of the meeting to all the members of the Board of Management at least ten clear days prior to the date of the meeting:

Provided that the Chairperson shall have the power to waive the period of notice in case of an emergency meeting:

Provided further that in case of emergency, the proposal not included in the agenda of the meeting, may be taken up for consideration, as a table agenda with the consent of the Chairperson.

'Clear days' means days excluding the day of issue of notice of the meeting and the day of the meeting.

7. Quorum for the Board of Management:

The quorum for the meeting of the Board of Management shall be one-third of the number of the sitting members. If there is no quorum, the meeting shall be adjourned by the Chairperson on the same day or on a later date and no quorum shall be necessary for such adjourned meeting. No quorum shall be necessary on the following day of the continued meeting.

8. Conduct of Business for the Board of Management:

- 1) Each member before he takes his place, shall register his attendance in a book placed for the purpose at the entrance of the place of the meeting.

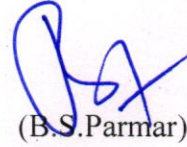
- 2) The Chairperson, or in his absence, the senior most person selected by the members present from amongst themselves shall preside at the meeting.
- 3) Once the meeting commences the first business to be transacted shall be reading and signing the minutes of the previous meeting. Along with this Action Taken Report and Compliance Report of the previous meeting shall be reviewed invariably.
- 4) After reviewing the Action Taken Report and Compliance Report of the previous meeting, if work seems not to be done as per the agenda item then discussions shall be held for it. On the basis of the discussion the Chairperson shall take the decision to continue or discontinue with the said agenda item.
- 5) Recommendations, if they are part of the business to be entertained at the meeting by the three members selected by the Chairperson.
- 6) All members should conduct themselves in a professional manner, respecting the right of others to speak.
- 7) The Chairperson has the authority to maintain order and may caution or exclude any member disrupting the meeting's decorum.
- 8) All members should conduct themselves in a professional manner, respecting the right of others to speak.
- 9) The Chairperson has the authority to maintain order and may caution or exclude any member disrupting the meeting's decorum.
- 10) Members must declare any conflicts of interest at the start of the meeting or before the discussion of the relevant agenda item. Members with a conflict of interest should recuse themselves from the discussion and decision-making on that item.
- 11) Accurate minutes must be kept of each meeting, recording the decisions made and, where appropriate, the reasons for those decisions. Minutes do not need to be a verbatim record but must accurately reflect the discussions held and decisions made.
- 12) The Board may establish sub-committees or working groups to deal with specific issues. These groups will report back to the Board, and their recommendations will be subject to the Board's approval.
- 13) Periodically, the Board shall review the effectiveness of its meetings to ensure they are well organized, and efficiently run, and that they encourage open communication and meaningful contribution from all members.
- 14) The Board of Management may refer any of the subjects within its purview to the relevant authority/public body of the University. The report of such authority/body shall be considered by the Board of Management.
- 15) The decision of the Board of Management shall be recorded in the form of a resolution. However, any dissent specifically asked by the member/s for being so recorded shall be recorded.
- 16) The members of the Board of Management shall be under obligation to safeguard the interest of the University and honour the resolutions.
- 17) The consideration of the Annual Report, Annual Accounts, and financial estimates and resolutions thereon, when they are part of the business to be entertained at the meeting.
- 18) The consideration of Ordinances, matters for making, amending, and repealing Statutes, and proposals recommending amendments in the Act.
- 19) Any matter for a change in the order of business, provided that such matter shall not affect the order hereinabove indicated or give priority to any item of business over the items mentioned above; or any of them.
- 20) Any business and matters of which due notice has been given; in the order in which such business and matters are entered in the statements of business; and matters to be brought forward subject to the provisions of the said Act.
- 21) Where necessary, meetings may be conducted through teleconferencing or video conferencing. Such digital meetings must adhere to all the procedural requirements.
- 22) All proposals on the agenda shall be decided by a majority of votes of the members present. The Chairperson shall have a vote. In case of equality of votes, the Chairperson shall have one casting vote. The Member Secretary of the Board of

Management shall have the right to participate in the deliberations but shall not have the right to vote. The permanent invitees shall have the right to participate in the deliberations relating to the particular subject matter only and shall not have the right to vote.

9. Minutes of the Meeting for the Board of Management:

- 1) The Registrar shall submit the minutes of the meeting of the Board of Management within three days from the date of the meeting to the Chairperson for his approval.
- 2) The minutes of the meeting shall be circulated to all the members of the Board of Management along with the agenda of the subsequent meeting within 10 days without fail.
- 3) On approval of the minutes by the Chairperson, the Registrar or the officers concerned may proceed with the implementation of the resolutions of the Board of Management. The action taken report on the resolutions shall be reported to the Board of Management in its succeeding meeting. The Registrar shall ensure that the action taken on every resolution of the Board of Management is duly reported to the Board of Management as soon as the action thereon is completed.
The agenda of the meeting of the Board of Management along with its enclosures and the minutes of the meeting shall be treated as confidential, till the actions on the resolutions are completed.

By order and in the name of Governor of Gujarat,



(B.S. Parmar)

Under Secretary to Government.

Copy forwarded for information and necessary action To:

- The Secretary to the Governor, Raj Bhavan, Gandhinagar.(By letter)
- The Secretary to Hon'ble Chief Minister, Sachivalaya, Gandhinagar.
- Personal Secretary to the Hon'ble Higher & Technical Education Minister, Sachivalaya, Gandhinagar.
- Personal Secretary to the Hon'ble Minister of State (Higher Education) Sachivalaya, Gandhinagar
- J.S. to Chief Secretary, Government of Gujarat, New Sachivalaya, Gandhinagar.
- P.S. to Principal Secretary Higher & Technical Education Department, Sachivalaya, Gandhinagar.
- P.S. to Secretary, Legislative and Parliamentary Affairs Department, Sachivalaya, Gandhinagar.
- The Director of Higher Education, Dr. Jivraj Mehta Bhavan, Gandhinagar.
- The Commissioner of Technical Education, Karmayogi Bhavan, Gandhinagar.
- Advisor, KCG, Pragnapuram, Navrangpura, Ahmedabad.
- Accountant General, Ahmedabad / Rajkot.
- The Director of Information, Gandhinagar.
- Vice Chancellor, The Maharaja Sayajirao University of Baroda, Ta.Vadodara, Dist.Vadodara.
- Vice Chancellor, Gujarat University, Navrangpur, Ahmedabad.
- Vice Chancellor, Sardar Patel Univesity, Vallabhvidyanagar, Dist.Anand.
- Vice Chancellor, Veer Narmad South Gujarat University, Bharthana, Surat.
- Vice Chancellor, Saurashtra University, Rajkot.
- Vice Chancellor, Maharaja Krishnakumarsinhji Bhavnagar University, Bhavnagar.
- Vice Chancellor, Hemchandracharya North Gujarat University, Patan.

- Vice Chancellor, Dr.Babasaheb Ambedkar Open University, Chharodi, Dist.Ahmedabad.
- Vice Chancellor, Krantiguru Shyamji Krishna Verma Kachchh University, Bhuj, Kachchh.
- Vice Chancellor, Bhakta Kavi Narsinh Mehta University, Khadia, Junagadh.
- Vice Chancellor, Shri Govind Guru University, Gadukpur, Godhra, Panchmahal.
- The System Manager, Computer cell, Education department, with a request to upload this on website.
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ANNEXURE

Text of 'Powers and Duties of Board of Management' (Section 15 of the Gujarat Public Universities Act, 2023)

- 1) The Board of Management shall have the following powers and duties, as supreme authority of the University, namely: —
 - a) to review and deliberate on short and long term reforms in academic, research and development activities, finances, management and governance that are taking place at the national and global level with a view to allowing them to percolate into the university;
 - b) to study and decide upon the operative mechanism for the reforms in all the domains of the university;
 - c) to make such provisions, as may enable colleges and institutions to undertake specialised studies and courses, and where necessary or desirable, organise and make provisions for common laboratories, libraries, museums and equipments for teaching and research among various organisations and universities;
 - d) to establish departments, colleges, schools, centres, institutions of higher learning, research and specialised studies, on the recommendation of the Academic Council;
 - e) to recommend to the State Government, the draft of statutes or amendment or repeal any or part of statutes for approval;
 - f) to make, amend or repeal any or part of ordinances and regulations;
 - g) to control and arrange for administration of assets and properties of the university;
 - h) to discuss and approve with modifications, if any, the annual financial estimates or budget, that is to say the fund which may be received from State Government, university funds and other funding agencies separately;
 - i) to consider proposals to enter into, amend, carry out and cancel contracts on behalf of the university;
 - j) to determine the form of common seal for the university and provide for its use;
 - k) to accept, on behalf of the university the transfer of any trusts, bequests, donations and transfer of any movable, immovable and intellectual property to the university with the prior permission of the State Government;
 - l) to transfer by sale or otherwise, any movable or intellectual property rights on behalf of the university;
 - m) to transfer by sale or lease or contract any immovable property to other organisation with the prior permission of the State Government:
Provided that, any immovable property may be permitted to be used for the specific period, for the purpose of providing essential physical facilities for accomplishment of objects of the university, such as bank, canteen, post office, mobile towers, etc, without prior approval of the State Government;
 - n) to create immovable assets in the form of land, building and other infrastructure out of reserve funds, for its campus and sub-campus;
 - o) to borrow, lend or invest funds on behalf of the university;
 - p) to lay down policy for administering funds at the disposal of the university for specific purposes;
 - q) to provide buildings, premises, furniture, equipments and other resources needed for the conduct of the work of the university;
 - r) to recommend the conferment of honorary degrees and academic distinctions;

- s) to institute and confer such degrees, diplomas, certificates and other academic distinctions as recommended by the Academic Council and arrange for convocation for conferment of the same, as provided by the Ordinances;
- t) to institute fellowship, travelling fellowship, scholarship, studentship, exhibitions, awards, medals and prizes and prescribe Regulations for their award;
- u) to make Regulations for collaborations with other universities, institutions and organisations for mutually beneficial academic programme recommended by the Board of Deans;
- v) to create posts of university teachers and non-vocational academic staff from the funds of the university and from the funds received from other funding agencies, on the recommendation of the Academic Council, as and when required, and prescribe their qualifications, experience, time-span and pay-scales;
- w) to create posts of officers, non-teaching skilled, administrative staff and other posts from the funds of the university and from the funds received from other funding agencies, as and when required, and prescribe their qualifications, experience, time-span and pay-scales;
- x) to prescribe honorarium, remunerations, fees and travelling and other allowances for paper-setters and other examination staff, visiting faculty and fees or charges for any other services rendered to the university;
- y) to instruct the Academic Council to submit the comprehensive perspective plan and annual plan for the location of colleges and institutions of higher learning, as prepared by the Board of Deans;
- z) to consider and approve proposals for change or transfer of management and shifting of locations of colleges and institutions, as prescribed in the Statutes;
- aa) to consider report of the development activities of the university received from the Registrar every six months;
- bb) to confer autonomous status on university departments, university institutions, affiliated/constituent colleges and recognised institutions on the recommendation of the Academic Council, as per the Statutes and the University Grants Commission (UGC);
- cc) to assess and approve proposals for academic programme received from the Academic Council;
- dd) to consider and adopt the annual report, annual accounts and audit report in respect of State Government funds, university funds and funds received from other agencies separately;
- ee) to cause an inquiry to be made in respect of any matter concerning the proper conduct, working and finances of colleges, institutions or departments of the university;
- ff) to delegate, any of its powers, except the power to make, amend or repeal Statutes and Ordinances, to the Vice-Chancellor or such officer or authority of the university or a committee appointed by it, as it thinks fit;
- gg) to define the functions, duties, powers and responsibilities of non-teaching employees in the university, in respect of the posts created from the funds of the university and from the funds received from other funding agencies;
- hh) to accept donations, gifts and other forms of financial support from alumni, philanthropists, industries and other stakeholders and prescribe the procedure to be followed by the university for accepting such donations, gifts, etc;
- ii) to impose penalties upon the erring colleges or recognised institutions after following the procedure laid down by the Statutes;
- jj) to recommend to the State Government through the Vice-Chancellor to appoint an Administrative Board for the affiliated/constituent college to run the management of such college in case of disputes regarding the management of such colleges, till the dispute is statutorily resolved. The constitution of this

board and the process of its appointment shall be as prescribed by the Statutes. The decision of the State Government in this regard shall be final and binding; to develop and adopt students' charter;

kk) the Board of Management is supreme authority and main decision making power body. The Board of Management may issue directions, instructions and may change the decisions of Academic and Executive Councils;

ll) It shall be the duty of the Chairperson to get approval of all decisions taken by Academic Council and Executive Council in the Board of Management.
