



**Formation of Executive
Council 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 Executive Council, Mandatory and Additional criteria for nomination of the members of the Executive Council; Meetings, Notice of the meeting, Quorum, Conduct of Business and Minutes of Meeting for the Executive Council**. All the other provisions to constitute the Executive Council shall be as mentioned in the said Act shall be followed.

Formation of Executive Council :

1. Members of the Executive Council:

- a) For the member as prescribed in **16(v)** of the said Act, provided that for Dr. Babasaheb Ambedkar Open University the Executive Council shall have three Heads of University Departments, to be nominated by the Vice-Chancellor taking into consideration the overall seniority, by rotation and also on the basis of additional criteria as may be type of the university and prescribed by the Statutes.
- b) For the member as prescribed in **16(vi)** of the said Act, provided that for Dr. Babasaheb Ambedkar Open University the Executive Council shall have four Principals of recognized Learner Support Centres, to be nominated by the Vice-Chancellor taking into consideration, by rotation and also on the basis of additional criteria like overall performance of the Learner Support Centres, student strength at the Learner Support Centres, courses being offered at the Learner Support Centres, Student support at Learner Support Centres etc. as may be prescribed by the Statutes.

"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)

- c) For the member as prescribed in **16(viii)** of the said Act, provided that for Dr. Babasaheb Ambedkar Open University the Executive Council shall have four teachers

of Learner Support Centres, to be nominated by the Vice-Chancellor taking into consideration, by rotation and also on the basis of criteria as may be prescribed by the Statutes.

- d) In addition to the members as prescribed in 16 of the said Act, for Dr. Babasaheb Ambedkar Open University the Executive Council shall have two members from the Open and Distance Learning/Online Learning institutes/expertise.

2. Mandatory Criteria for Nomination of Members of the Executive Council:

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 Executive Council:

- 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 Executive Council:

a) Head

- (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 5 students should have completed their Ph.D. Degree under his/her guideship.
- (iii) He/ She should have at least 15 years of experience as permanent teaching faculty at the university level.
- (iv) He/ She should have at least 7 research papers published in a peer-reviewed journal.

b) Principal

- (i) He/ She should be a permanent Principal of a college, confirmed by the Commissioner of Higher Education and the respective university.
- (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 15 years of experience as permanent teaching faculty at college.
- (iv) He/ She should have at least 10 research papers published in a peer-reviewed journal.

c) Teachers (other than Head of Department)

- (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) **All the members of the Executive Council shall be nominated by the Chairperson as per the provisions of section 16 of the Act.**
- f) **At least one-third of the total members to be nominated by the Chairperson of the Executive Council shall be invariably women.**

5. Meetings of the Executive Council:

The Executive Council shall meet every two months and as and when required.

6. Notice of the Meeting for the Executive Council:

The Registrar shall issue a notice of the meeting of the Executive Council at least fifteen clear days prior to the day of meeting. He shall send the agenda for the meeting to all the members of the Executive Council at least ten clear days before 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 Executive Council:

The quorum for the meeting of the Executive Council 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 Executive Council:

- 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 Vice-Chancellor, 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 Executive Council may establish sub-committees or working groups to deal with specific issues. These groups will report back to the Executive Council, and their recommendations will be subject to the Executive Council's approval.
- 13) Periodically, the Executive Council 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 business at the meeting of the Executive Council shall be transacted in accordance with the agenda issued for the purpose and the various proposals placed on the agenda shall be considered, unless otherwise decided at the meeting.
- 15) The decision of the Executive Council shall be recorded in the form of resolution. It shall not contain the deliberations and discussions. However, any dissent specifically asked by the member/s for being so recorded, shall be recorded.
- 16) 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.
- 17) 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.
- 18) Where necessary, meetings may be conducted through teleconferencing or video conferencing. Such digital meetings must adhere to all the procedural requirements.
- 19) 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.

9. Minutes of the Meeting for the Executive Council:

- 1) The Registrar shall submit the minutes of the meeting of the Executive Council within seven 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 Executive Council along with the agenda of the subsequent meeting 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 Executive Council. The Registrar shall ensure that the action taken on every resolution of the Executive Council is duly reported to the Executive Council as soon as the action thereon is 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 'Duties of Executive Council' (Section 17 of the Gujarat Public Universities Act, 2023)

- 1) Subject to such conditions as may be prescribed by or under this Act, the Executive Council shall perform the following duties under the guidance, direction and superintendence of the Board of Management, namely: -
 - a) to hold, control and administer the property and funds of the University;
 - b) to enter into, vary, carry out and cancel contract on behalf of the University in the exercise or performance of the powers and duties assigned to it by this Act and the Statutes, with it;
 - c) to determine the Form and provide for the custody and regulate the use of the common seal of the University;
 - d) to administer funds placed at the disposal of the University for specific purposes;
 - e) to prepare the annual financial estimates of the University and to submit them to the Board of Management;
 - f) to sanction the transfer of any amount within the budget grant from one minor head to another or from subordinate head under the minor head to a subordinate head under another minor head;
 - g) to sanction the transfer of any amount within a minor head from one subordinate head to another or from one primary unit to another;
 - h) to make provisions for buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University;
 - i) to accept on behalf of the University, bequests, donations and transfer of any movable or immovable property to the University;
 - j) to transfer any movable or immovable property on behalf of the University;
 - k) to raise loans on the security of the assets of the University;
 - l) to manage and regulate finances, accounts and investments of the University;
 - m) to institute and manage –
 - (i) Printing and publication Department,
 - (ii) University Boards,
 - (iii) Information Bureau, and
 - (iv) Employment Bureau;
 - n) to make provisions for Physical Education, National Social Service, National Cadet Corps;
 - o) to manage colleges, University Departments or specialised studies, laboratories, libraries and hostels maintained by the University;
 - p) to arrange for, and direct, the inspection of affiliated/constituent colleges, recognised institution, and hostels and to issue instructions for maintaining their efficiency and/or ensuring proper conditions of employment for members of their staff, and in case of disregard of such instructions, to modify the conditions of their affiliation or recognition or take such other steps as it deems proper;
 - q) to call for reports, returns and other information from colleges, recognised institution or hostels;
 - r) to supervise and control the residence, conduct and discipline of the students of the affiliated/constituent colleges, University Departments, recognised institutions and to make arrangements for promoting their health and general welfare;
 - s) to recommend to the Board, for conferment of honorary degrees and academic distinction in the manner prescribed by the Statutes;

- t) to award fellowships, travelling fellowships, studentships, exhibitions, medals and prizes;
 - u) to make recommendations for appointments of teachers and employees of the University, to fix their emoluments and define their duties and terms and conditions of their services including disciplinary matters, to the State Government, after consultation with the Board;
 - v) to recognize a member of the staff of an affiliated/constituent college or recognised institution or institution as a Professor, Associate Professor and Assistant Professor or teacher of the University and withdrawal of such recognition;
 - w) to fix remuneration of examiners and to arrange for conduct and for publishing the result of the University examinations and other tests;
 - x) to fix, demand and receive such fees and other charges as may be prescribed by the Ordinances;
 - y) to make, amend and cancel the Ordinances;
 - z) to exercise such other powers and perform such other duties as may be conferred by the Board or imposed upon by or under this Act.
- 2) The Executive Council shall make a report to the Board about all acceptances of property and matters referred to in clauses (i), (j) and (k) of sub-section (1).
 - 3) The Executive Council shall not transfer any immovable property without the previous sanction of the Board of Management and the State Government.
 - 4) The exercise of the powers by the Executive Council under clause (u) of sub-section (1), in so far as they relate to the laying down and regulating salary scales and allowances of officers (other than the Vice-Chancellor) and members of the teaching, other academic and non-teaching staff of the University, affiliated/constituent colleges/ Learner Support Centres and recognised institutions shall be subject to the approval of the State Government.
 - 5) The Executive Council may by Ordinances appoint committee or committees to carry out its administrative work and define its constitution, functions and tenure.
 - 6) The Executive Council shall function required for day to day administration.
 - 7) The Executive Council shall exercise functions as defined by the Board of Management.
