



# GONDWANA UNIVERSITY, GADCHIROLI.

## Direction No. 5 of 2018

**Procedure for nomination of persons, at the meetings of authorities or council to authorities or committees of the university, Direction 2018.**

(Issued u/s. 12 (8) of the Maharashtra Public Universities Act, 2016.)

**Whereas,** the Maharashtra Public Universities Act, 2016 (Maharashtra Act No. VI of 2017) (hereinafter referred to as the 'Act') has come into force in the State of Maharashtra, with effect from 1<sup>st</sup> March 2017, repealing the Maharashtra Universities Act, 1994;

**AND**

**Whereas,** the said Act has been made applicable to the Gondwana University, Gadchiroli with effect from 1<sup>st</sup> March 2017;

**AND**

**Whereas,** section 26 of the said Act has provided different authorities of the university;

**AND**

**Whereas,** the authority of the university have a power to nominate persons to other authorities or bodies/committees of the university;

**AND**

**Whereas,** the president of university student council have a power to nominate one student member from sports of university student council to the Board of sports and physical education;

**AND**

**Whereas,** sections 32 (3) (h), 38 (1)(j), 47 (3) (d, (e), and (f), 55(2)(g),57(2)(e), (f) and (i), 70(3)(c), (d), (e), (f) and (g), 72 (2) (a),(b),( c),and (d), 79 (3) (e), 94 (2) (f), 98 (2)(d) and (e), 102 (2)(e) and (g), 103 (2)(f), 104(c) and (e), 105 (2)(e), 117 (b),(c), and (d) of the Maharashtra Public Universities Act, 2016 are provided for nomination of persons by authorities/Council to authorities or bodies/committees of the university;

**AND**

**Whereas,** nomination of persons by authorities or council to authorities/bodies/committees as provided under sections mentioned in above para are to be made at the meetings of the said authorities or council;

**AND**

**Whereas,** sub-section (5) of section 71 of the Maharashtra Public Universities Act, 2016 provides that rules of procedure for conduct of business at the meetings of the authorities of the university is a subject matter of the Statute;

**AND**

**Whereas,** sub-section (13) of section 71 of the Act provides that the procedure for conduct of elections to various authorities and bodies of the university is a subject matter of the Statutes;

**AND**

**Whereas,** nomination of persons by authorities/council to authorities or bodies/committees is a matter relating to the election at the meetings of authorities/council, however election by ballot in accordance with the system of proportional representation by means of single transferable vote is not applicable for the purposes of election for nomination of persons by authorities or council to authorities or bodies/committees;

**AND**

**Whereas,** elections relating to nominations of the persons by authorities/council to authorities or bodies/committees is a matter required to be regulated by the Statute;

**AND**

**Whereas,** no statute is passed by the Senate and assented to by the Hon'ble Chancellor for nomination of persons by authorities/council to authorities or bodies/committees of the university;

**AND**

**Whereas,** making of the Statute in respect of Procedure for nomination of persons, at the meetings of authorities or council to authorities or committees of the university is time consuming process;

**AND**

**Whereas,** meetings of authorities are required to be convened in the near future for nominating persons by authorities/council to authorities or bodies/committees of the university.

Now, therefore, I, Dr. N. V. Kalyankar, Vice-Chancellor, Gondwana University, Gadchiroli, in exercise of the powers vested in me under Section 12(8) of the Maharashtra Public Universities Act, 2016, do hereby issue the following Directions: -

1. This Direction may be called "Procedure for nomination of persons, at the meetings of authorities or council to authorities or committees of the university, Direction, 2018."
2. This Direction shall come into force with effect from the date of its issuance.
3. In this Direction, unless the context otherwise requires. :-
  - i) **'Academic Council'** means an authority constituted as per provision made under sub-section (3) of section 32 of the Act;
  - ii) **'Act'** means the Maharashtra Public Universities Act, 2016 (Maharashtra Act No. VI of 2017.) (hereinafter referred to as the Act)
  - iii) **'Affiliated college'** means a college which has been granted affiliation by the university.
  - iv) **'Authorities'** means the authorities of the university as specified under section 26 of the Act.
  - v) **'Autonomous college', 'Autonomous institution' or 'Autonomous Department'** means college, institution or department to which autonomy is granted and is designated to be so by the Statute.
  - vi) **'Bodies'** means the bodies of the university formed by the respective authorities.
  - vii) **'Board of examination & evaluation'** means a board constituted as per provision made under sub-section (3) of section 47 of the Act;
  - viii) **'Board of sports and physical education'** means a board constituted under provision of sub-section (2) of section 57 of the Act;
  - ix) **'Board of student development'** means a board constituted as per provision made under sub-section (2) of section 55 of the Act;
  - x) **'Board of sub-campus of university'** means a board constituted as per provision made under sub-section (1) of section 38 of the Act;
  - xi) **'Chancellor' and 'Vice-Chancellor' means,** respectively, the Chancellor and the Vice-Chancellor of the university.
  - xii) **'Conducted college'** means a college maintained and managed by the university.
  - xiii) **'Dean'** means a Dean for each faculty in the university who is a full time salaried officer appointed as per provision made under sub-section (2) of section 15 of the Act;
  - xiv) **'De-notified Tribes (Vimukta Jatis)'** means tribes declared as such by the State Government, by time to time.
  - xv) **'Department'** means a department teaching a particular subject or a group of subjects in a college or institutions as prescribed in the Statutes.
  - xvi) **'District coordinator of culture and student welfare'** means the district coordinator of culture and student welfare appointed for the district;
  - xvii) **'Finance & Accounts committee'** means a committee constituted as per provision made under sub-section (2) of section 94 of the Act;

- xviii) **'Grievances committee'** means a committee constituted as per provision made under sub-section (3) of section 79 of the Act;
- xix) **'Head of the university department', 'Head of the Institution' and 'Head of the college Department';** means respectively, a head of the university department, a head of the recognized institution and the head of the college department, as prescribed in the Statute.
- xx) **'Institution'** means an academic institution of higher learning, not being a college, associate with and admitted to the privileges of the university.
- xxi) **'Management'** means the trustees or the managing or governing body, by whatever name called, of any trust registered under the Maharashtra Public Trusts Act, or any society registered under section 8 of the Companies Act, 2013, under the management of which one or more colleges or recognized institutions or other institutions of higher learning, are conducted and admitted to the privileges of the university.  
 Provided that, in relation to any college or institution established or maintained by the Central Government or the State Government or a local authority like a Zilla Parishad, Municipal Council or Municipal Corporation, it means, respectively, the Central Government or State Government or Zilla Parishad or the Municipal Council or the Municipal Corporation, as the case may be;
- xxii) **'Management Council'** means the authority constituted as per provision made under sub-section (4) of section 30 of the Act;
- xxiii) **'Management Representative'** means a representative elected to the senate as per provision made under clause (p) of sub-section (2) of section 28 of the Act;
- xxiv) **'Nomadic Tribes'** means tribes wandering from place to place in search of their livelihood, as declared by the state government from time to time;
- xxv) **'Non-teaching employee'** means an employee engaged purely in discharging administrative functions;
- xxvi) **'Other Backward Classes'** means any socially and educationally backward classes of citizens as declared by the state government and includes other backward classes declared by the government of India in relation to the state of Maharashtra;
- xxvii) **'President of university student council'** means a president elected by the members of university students' association from amongst themselves as per provision made under sub-clause (i) of clause (b) of sub-section (4) of section 99 of the Act;
- xxviii) **'Principal'** means a teacher who is duly approved as a principal by the university;
- xxix) **'Recognized Institutions'** means an institution of higher learning, research or specialized studies, other than a college, and recognized to be so by the university;

- xxx) **'Registered Graduate'** means a graduate of a university registered or deemed to be registered by or under the Act with one of the universities;
- xxxi) **'Scheduled Caste'** means such caste, races or tribes or part of, or groups within, such castes, races or tribes as are deemed to be scheduled caste, in relation to the state of Maharashtra under article 341 of the constitution of the India;
- xxxii) **'Scheduled Tribes'** means such tribes or tribal communities or part of, or groups within, such tribes tribal communities as are deemed to be scheduled tribes, in relation to the state of Maharashtra under article 342 of the constitution of the India residing any part of the state of Maharashtra;
- xxxiii) **'Selection committee for officers and employees of the university'** means a committee constituted as per provision made under sub section (2) of section 105 of the Act;
- xxxiv) **'Selection committee for selection of university teacher'** means a committee constituted as per provision made under sub-section (2) of section 102 of the Act;
- xxxv) **'Senate'** means the authority constituted as per provision of Sub-section (2) of section 28 of the Act;
- xxxvi) **'Standing committee'** means a committee constituted as per provision made under sub-section (3) of section 70 of the Act;
- xxxvii) **'Statute committee'** means a committee constituted as per provision made under sub-section (2) of section 72 of the Act;
- xxxviii) **'Student member from sports of university students' council'** means a student member nominated as per provision made under sub-clause (v) of clause (b) of sub-section (4) of section 99 of the Act;
- xxxix) **'Teacher'** means full time approved Professor, Associate Professor, Assistant Professor/ Reader, Lecturer, Librarian, Principal, Director of an Institution, Director of Knowledge Resource Center, Director of Center of Life-Long Learning and Extension, Deputy or Assistant Librarian in the University, College Librarian, Director or Instructor of Physical Education in any university Department, Conducted, affiliated or autonomous college, autonomous institution or department or recognized institution of the University;
- xxxx) **'University'** means the Gondwana University, Gadchiroli.
- xxxxi) **'University Area'** means Districts of Gadchiroli and Chandrapur.
- xxxxii) **'University Department'** means a department established and maintained by the university as prescribed by the Statutes;
- xxxxiii) **'University institution'** means a center, a school, or an institute established and maintained by the university as prescribed by the Statutes;
- xxxxiv) **'University teacher'** means a full time teacher appointed by the university.

4. The Registrar shall be the returning officer to conduct the procedure for nomination of persons at the meetings of authorities in the university.
5. The Registrar, being the returning officer to conduct the procedure for nomination of persons at the meetings of authorities of the university, shall

prepare electoral roll of the respective authority before issuing the notice for the meeting of the authority.

6. Notice for the meeting of the authority shall be issued as provided under the statute/Direction before the date of the meeting of the said authority.
7. Details regarding nomination of person/s at the meeting by the authority shall be as shown under the TABLE provided under Appendix – A appended with this Direction.
8. Program to conduct the procedure for nominations of persons at the meeting of the authority, i.e. time fixed for receiving nomination papers, scrutinee of nomination papers, declaring the names of validly nominated candidates for nomination, time for submitting the notice of withdrawal of candidature for nomination, declaration of the list of contesting candidates for nomination, election (if necessary) for nomination, counting of votes and declaration of result of the election for nomination, shall be declared in the meeting of the authority on the direction of the chairperson of the meeting.
9. a) There shall be a common nomination paper for nominating the candidate by the authority to the authority/body at the meeting which shall be as provided under Appendix – B appended with this Direction.  
b) Nomination paper shall be dated and signed by two electors entitled to vote, and shall contain dates, names in full, address of the candidates and voter numbers of signatories, as the case may be.  
c) If the candidate to be nominated is not a member of the nominating authority, it shall not be necessary for signing the Nomination Paper for granting his/her assent to the proposal of Nomination.

Provided that the proposer shall have to enclose the copy of Appendix – C, under the signature of the proposed candidates granting his/her assent for the proposal of Nomination as a candidate, with the Nomination Paper to be submitted.

- d) No person shall either propose or second his/her own Nomination.  
Provided that, in case there are less than three voters, a candidate himself/herself may propose and second his/her own nomination.
- e) The same elector may sign as proposer and/or seconder as many nomination/s as there are vacancies to be filled.
- f) Nomination papers signed by the same proposer and/ or the same seconder for the same candidate shall be treated as one.
- g) A nomination paper which does not comply with all requirement herein mentioned shall be invalid and it shall be rejected.
- h) Each candidate shall be nominated by a separate Nomination Paper.

- i) Every nomination paper shall be submitted in person by the proposer to the Returning officer not later than the time fixed at the meeting for receiving Nomination Papers of the candidates.
- j) Nomination paper received by the Returning Officer later than the time fixed at the meeting shall be rejected.
- k) The Returning officer shall scrutinize the Nomination Papers and shall declare the names of persons whose nomination paper/s is/are found valid.
- l) The Returning Officer shall announce the time fixed for withdrawing the candidature by the candidate or by the proposer of the candidate, as the case may be in the proforma provided under Appendix - D appended with this Direction. No candidate or proposer who has submitted the notice of withdrawal of candidature shall be allowed to cancel the said notice of the withdrawal.
- m) After expiry of the time fixed for withdrawing the candidature for nomination, the Returning Officer shall declare the name/names of the candidate/candidates. If number of candidates is equal to or less than the number of vacancy to be filled by nomination, all such candidates shall be declared nominated with the approval of the chairperson of the meeting.
- n) If the number of candidates exceeds the number of vacancies, voting shall take place by providing the ballot paper to the member present at the meeting which is provided under Appendix - E appended with this Direction.
- o) After completion of voting for nomination, the Returning officer shall conduct the procedure for counting of votes and report the result of the counting to the chairperson of the meeting. After approving the result of the counting of votes for nomination by the chairperson, the returning officer shall declare the result of nomination.

Gadchiroli.

Date : 06/02/2018

(Dr. N. V. Kalyankar)  
Vice-Chancellor

(See para 7 of Direction No. 5 of 2018)

Table showing the details regarding nomination of persons by the authorities of the university to the other authorities or bodies or committees of the university.

TABLE

Sr. No.	Section of the Maharashtra Public Universities Act, 2016	Provision of the Section	Nominated by	Nominated to
1	2	3	4	5
01	*32 (3) (h) Academic Council.	one representative of management nominated by the Senate, from amongst the representatives of managements, who are the members of Senate;	Senate	Academic Council
02	38 (1) (j) Board of Sub campuses Of university.	One Principal, one Teacher, one management representative from the affiliated, autonomous colleges within the jurisdiction of each sub-Campus to be nominated by the Management Council;	Management Council	Board of Sub campuses Of university.
03	*47 (3) (d) Board of Examinations	Two Principals other than Dean, nominated by the Management Council;	Management Council	Board of Examinations and Evaluation.

\*The eligibility conditions for being nominated as a member of the authority shall be as specified in Column No. 2 of Schedule – II appended to Notification No. MNS-2016(347/16)/Ue-3 dated 28/04/2017 of Higher & Technical Education Department, Mumbai. (Direction No. 9 – I of 2017)



	and Evaluation.			
	*47 (3) (e) Board of Examinations. And Evaluation.	One professor of the university departments, to be nominated by the Management Council;	Management Council	Board of Examinations and Evaluation.
	*47 (3) (f) Board of Examinations And Evaluation.	One teacher from affiliated Colleges other than heads of Departments or Principals with the minimum teaching experience of fifteen years to be nominated by Management Council;	Management Council	Board of Examinations and Evaluation.
04	*55 (2) (g) Board of Students' Development.	District Co-ordinators of Culture and Student Welfare for each district to be nominated by Management Council;	Management Council	Board of Students' Development.
05	*57 (2) (e) Board of Sports and Physical Education.	One teacher from the university department of Physical Education, nominated by the Management Council;	Management Council	Board of Sports and Physical Education.
	*57 (2) (f) Board of Sports and Physical Education.	Two sports teachers, from affiliated, conducted or autonomous colleges, nominated by the Management Council;	Management Council	Board of Sports and Physical Education.
06	*57 (2) (i) Board of Sports and Physical Education.	One student member from sports of University Student Council nominated by the President of	the President of University Students' Council	Board of Sports and Physical Education.

\*The eligibility conditions for being nominated as a member of the authority shall be as specified in Column No. 2 of Schedule – II appended to Notification No. MNS-2016(347/16)/Ue-3 dated 28/04/2017 of Higher & Technical Education Department, Mumbai. (Direction No. 9 – I of 2017)

		University Students Council under sub-sub clause (v) of sub-clause (b) of subsection (4) of section 99.		
07	70 (3)(c),(d),(e),(f) and (g)  Casual Vacancy and Standing Committee to fill vacancies.	(c) one dean nominated by Management Council;	Management Council	Standing Committee
		(d) one elected member of the Management Council nominated by that Council.	Management Council	Standing Committee
		(e) one principal nominated by Senate from amongst its members;	Senate	Standing Committee
		(f) one teacher nominated by Senate from amongst its members;	Senate	Standing Committee
		(g) one graduate nominated by Senate from amongst its members.	Senate	Standing Committee
08	72 (2) (a),(b),(c) and (d) Statutes how made.	(a) One member of Management Council from amongst the elected members of that Council - as Chairman,	Management Council	Statute Committee
		(b) One Dean,	Management Council	Statute Committee
		(c) One Professor of university department or affiliated colleges,	Management Council	Statute Committee

		(d) One Principal of affiliated college,	Management Council	Statute Committee
09	79 (3) (e) Grievances Committee.	One teacher belonging to Scheduled Castes or Scheduled Tribes or De-notified Tribes (Vimukta Jatis) or Nomadic Tribes or Other Backward Classes and one non-teaching employee nominated by the Senate from amongst its members;	Senate	Grievances Committee.
10	94 (2) (f) Finance and Accounts Committee.	Two experts nominated by the Management Council, one of whom shall be a Chartered Accountant who is an expert in the field of accounting and auditing and the other shall be an expert in the area of finance ;	Management Council	Finance and Accounts Committee.
11	98 (2) (d) and (e) Purchase Committee.	(d) two heads of university departments or university institutions nominated by the Management Council	Management Council	Purchase Committee.
		(e) one member of the Management Council nominated by the Council from amongst the elected members of the Council.	Management Council	Purchase Committee.
12	102 (2) (e) and (g) Selection	(e) not less than three experts nominated by the Management Council out of a panel	Management Council;	Selection and appointment of university

	and appointment of university teachers.	of not less than six names of experts not connected with the university recommended by the Academic Council, who have special knowledge of the subject for which the teacher is to be selected ;		teachers committee.
		(g) one principal who is a member of Management Council to be nominated by the Management Council;	Management Council;	Selection and appointment of university teachers committee.
13	103 (2) (f) Filling temporary vacancies of university teachers.	One principal or professor who is a member of Management Council to be nominated by the Management Council ;	Management Council;	Filling temporary vacancies of university teachers committee.
14	104 (c) and (e) Appointment and selection of principal of conducted colleges.	(c) two experts, nominated by the Management Council and one expert nominated by the Academic Council, who are not connected with the university, colleges or institutions under its jurisdiction	Management Council & Academic Council	Appointment and selection of principal of conducted colleges committee.
		(e) one principal who is a member of Management Council to be nominated by the Management Council	Management Council	Appointment and selection of principal of conducted colleges committee.

15	105 (2) (e) Selection committees for officers and employees of university	one elected principal or teacher who is a member of Management Council to be nominated by the Management Council,	Management Council	Selection committees for officers and employees of university
16	117 (2) (b), (c) and (d)  Inspection of colleges and recognized institutions and report.	<i>b)</i> one expert, not connected with the university or with any affiliated college or recognized institution under its jurisdiction, nominated by the Academic Council	Academic Council	Inspection of colleges and recognized institutions committee
		<i>c)</i> one expert, to be nominated by the Management Council	Management Council	Inspection of colleges and recognized institutions committee.
		<i>d)</i> one expert, to be nominated by the Senate: Provided that, no member on such committee shall be connected with the management of college or institution concerned.	Senate	Inspection of colleges and recognized institutions committee.

Appendix – B

(See para 9 a) of Direction No. 5 of 2018)



**GONDWANA UNIVERSITY, GADCHIROLI.**

**NOMINATION PAPER**

Nomination of \* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (Constituency)

I propose as a candidate for the above mentioned nomination :-

\*\* (If required) belonging to the category of **S.C. OR S.T. OR D.T. OR N.T. OR O.B.C.**

Name of the Candidate : \_\_\_\_\_

His/Her Postal Address : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

His/Her name is entered at Sr. No.\*\*\* in the list of the members of the authority for above mentioned constituency.

My name is \_\_\_\_\_ and it is entered at Sr. No. \_\_\_\_\_ in the list of the members of the authority.

Date: / /20\_\_\_\_ (Signature of the Proposer)

I second the above proposal.

My name is \_\_\_\_\_ and it is entered at Sr. No. \_\_\_\_\_ in the list of the members of the authority.

Date : / /20\_\_\_\_ (Signature of the Seconder)

I, the above mentioned candidate, assent to the proposal of nomination and vouch that, i am not attracted by the provisions of section 64 of the Maharashtra Public Universities Act, 2016.

Date : / /20\_\_\_\_ (Signature of the Candidate)

Enclose :- Copy of Appendix – C, if required.

- \* Here mention the constituency as provided under column No. 3 of the Table provided under appendix – A appended with Direction No. 5 of 2018.
- \*\* Applicable for nomination on the grievances committee by the Senate under provision of section 79 (3) (e) of the Act. Tick the category by the sign '✓'.
- \*\*\* If applicable.
- \*\*\*\* Not necessary to fill in by the candidate, proposed for nomination, who is not a member of the authority authorized for nomination. Provided that, the proposer of the candidate shall have to enclose an assent letter of the candidate with the Nomination paper in the proforma provided under Appendix - C.

**Appendix – C**

(See proviso of para 9 c) of Direction No. 5 of 2018)

**Proforma for granting assent by the candidate for the proposal of nomination**

I, Shri./Shrimati/Ku. \_\_\_\_\_  
hereby declare to grant assent for the proposal of my candidature for nomination under the following constituency.

\*\*\* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (constituency)"

I further declare that i am not attracted by the provision of section 64 of the Maharashtra Public Universities Act, 2016.

Date :     /     /20\_\_\_\_\_

(Signature of the Proposed Candidate)

\* Here mention the constituency as provided under column No. 3 of the Table provided under appendix – A appended with Direction No. 5 of 2018.