

Direction No. 1 of 2018

(Issued under provision of section 12(8) of the Maharashtra Public Universities Act, 2016)

**RULES OF PROCEDURE FOR CONDUCT OF BUSINESS AT MEETINGS OF
THE SENATE DIRECTION, 2018**

(As per Section 71(5) of the Maharashtra Public Universities Act, 2016.)

Whereas, the Maharashtra Public Universities Act, 2016 has come into force with effect from 1st March 2017 (hereinafter referred to as the Act).

AND

Whereas, the Act has repealed the Maharashtra Universities Act, 1994 with effect from 1st March 2017

AND

Whereas, the Act has been made applicable to the Gondwana University, Gadchiroli with effect from 1st March 2017;

AND

Whereas, the Senate is the authority of the university as per provision made under section 26(1) of the Act;

AND

Whereas, constitution of the Senate is provided under provision of section 28(2) of the Act;

AND

Whereas, section 28(4) of the Act provides that the Senate shall meet atleast twice a year on the date to be fixed by the Chancellor. One of the meetings shall be the annual meeting.

AND

Whereas, section 71(5) of the Act provides that the rules of procedure for conduct of business at the meetings of the authorities of the university shall be the subject matter of the Statute;

AND

Whereas, the Senate being an authority of the University, the business at the meetings of the Senate is required to be regulated by the rules of procedure for conduct of business at the meeting to be prescribed under the Statute;

AND

Whereas, Statute No. 1 of 2001 in respect of "Statute to provide for the procedure to be followed at the meeting of the Senate" which was assented to by the Hon. Chancellor from 3rd March 2001 vide letter No. CS/NU/STT/43/00/B/(3923)/590, dated 5th March 2001 is in existence in the university ;

AND

Whereas, the provisions made under Statute No. 1 of 2001 are not consistent with the provisions made under the Maharashtra Public Universities Act, 2016

AND

Whereas, passing of the new Statute and assented to it by the Hon Chancellor is a time consuming process;

AND

Whereas, there is an emergency for convening the meeting of the Senate comprising of the members of the Senate provided under section 28(2) of the Maharashtra Public Universities Act, 2016;

Now, therefore, I, Dr. N. V. Kalyankar, Vice-Chancellor, Gondwana University, Gadchiroli in exercise of the powers vested in me under provision of Section 12(8) of the Maharashtra Public Universities Act, 2016 (Maharashtra Act No.VI of 2017, do hereby issue the following Directions: -

1. This Direction may be called "Rules of Procedure for conduct of business at meetings of the Senate 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 required: -
 - (i) "Act" means the Maharashtra Public Universities Act, 2016;
 - (ii) "Chancellor" means the Governor of Maharashtra and the Head of the University as per section 9(1) of the Act;
 - (iii) "Vice-Chancellor" means a person so appointed as the Vice-Chancellor as per Section 11(4) of the Act;
 - (iv) "Pro-Vice-Chancellor" means a person so appointed as the Pro-Vice-Chancellor as per Section 13(6) of the Act;
 - (v) "Senate" means the Senate duly constituted as per Section 28(2) of the Act;

- (vi) "Management Council" means the Management Council duly constituted as per Section 30 (4) of the Act;
 - (vii) "Registrar" means a person so appointed as Registrar as per Section 14 (3) of the Act;
 - (viii) "Principal" means a teacher who is duly approved as a Principal by the University;
 - (ix) "Management" means a management as defined in Section 2(37) of the Act;
 - (x) "Authorities" means the authorities of the University as specified in Section 26 of the Act;
 - (xi) "Bodies" means the bodies of the University formed by the respective authorities;
 - (xii) "Conducted College" means a college maintained and Managed by the University;
4. (a) The Senate shall meet atleast twice a year on the date to be fixed by the Chancellor in accordance with the provision of section 28(4) of the Act. The meeting to be held in the month of February/March every year shall be the Annual Meeting of the Senate. The second meeting of the Senate shall be convened within a period of eight months from the date of its Annual Meeting.
- (b) The Vice-Chancellor may convene an Emergent/special Meeting of the senate to consider any matter or matters within its purview.
- (c) The Vice-Chancellor shall, upon a requisition in writing signed by not less than one-third of the total number of the members of the Senate, Convene a Requisition meeting of the Senate to consider any particular matter or matters within its purview. When such a requisition is made, the Vice-Chancellor shall within three days from the date of receipt of the notice is or not within the purview of the Senate. When the Vice-Chancellor decides that matter(s) stated in the requisition meeting notice is in the purview of the Senate, then he shall, within seven days from the date of receipt of the Requisition meeting notice, direct the Registrar to convene such meeting, giving notice required as per para 11 (a) of this Direction.
5. (a) At every meeting, if it is a part of the business to be transacted, it shall be taken in the following order, unless the meeting by a special vote, otherwise determines-

- (i) The election of the Chairman, if required, as provided for under para 6 of this Direction.
- (ii) Confirmation and then Counter signing of the minutes of the previous meeting or the adjourned meeting by the Chairman as the case may be;
- (iii) Action taken report on the minutes of the previous meeting, including an adjourned meeting, if any;
- (iv) Deferred and postpone item(s) of the previous meeting(s);
- (v) The election/nomination by the Senate on any Authority/Body/Statutory Committee as per the provisions of the Act and such other appropriate Acts, if it is a part of the business to be transacted at the meeting;
- (vi) Interpellations;
- (vii) Consideration of the Annual Financial Estimates and /or proposals for supplementary grants, if any
- (viii) Consideration of the Annual Financial Report and resolution thereon, if any'
- (ix) Consideration of Annual Accounts of the University and the conducted college(s) and the Audit Report and resolutions thereon, if any;
- (x) Consideration of proposals for making, amending and repealing Statute and proposals recommending amendments to the Act, if any;
- (xi) Consideration of the new academic programmes consistent with the social requirement in higher education, to review current academic programmes and collaborative programme and to suggest measures for the improvement and development of the University at the Annual meeting of the Senate.
- (xii) Consideration of reports of Committee(s) appointed by the Senate;
- (xiii) Any business and motion(s)/Resolution(s) of which due notice has been given.
- (xiv) Consideration of any other matter required to be dealt with by the Senate under the Act/Statute(s) Ordinance (s)/Regulation(s).

- (xv) Any matter referred to the Senate by any Authority(s)/Body(s)/ Committee(s) of the University.
- (xvi) Any motion for a change in the order of business, provided that such motion shall not affect the order hereinabove indicated or given priority to any items of business over the items mentioned in (i) to (ix) above or any of them

- (b) The agenda of the meeting convened under section 28(4) of the Act shall subject in the provisions of the para 5 (a) of this Direction, be settled by the Vice-Chancellor, and his decision in respect of the inclusion of any matter in the agenda of the meeting shall be final;
- (c) Where an Emergent meeting is convened by the Vice-Chancellor, the agenda shall be settled by him and his decision shall be final;
- (d) Where the requisite number of member of the Senate submit a requisition for a meeting, the agenda for such requisition meeting shall be the subject mentioned in the requisition;

Provided that requisitioned for a Requisitioned meeting shall clearly and precisely specify the matter to be discussed and it shall be in the form of a resolution. The provisions of sub-paras (b) and (c) of para 15 of this Direction shall apply to such resolutions.

- 6. The Chancellor shall preside over the Senate and in his absence the Vice-Chancellor shall preside

If both, the Chancellor and the Vice-Chancellor, are absent from any meeting, them the Pro-Vice-Chancellor, if any, shall preside over the meeting

Provided that if the Chancellor, the Vice-Chancellor and the Pro-Vice-Chancellor are absent for any meeting, then the members present shall elect a Chairman for that meeting only.

- 7. The Chairman may temporarily vacate the chair, if he so desires during the meeting. The Pro-Vice-Chancellor, if present, shall preside over the meeting. In case of absence of the Pro-Vice-Chancellor, the Vice-Chancellor shall nominate a Member present to be the Chairman during his absence as working Chairman, who shall exercise all such rights and powers vested with the Chairman.
- 8. One -third of the total number of members of the Senate (inclusive of the Chairman) shall from a quorum for the meeting.
- 9. (a) If the quorum is not present fifteen minutes after the advertised time of the meeting, the Chancellor or Vice-Chancellor or Pro-Vice-Chancellor as the case may be, if present, and if all the three are absent,

the registrar shall adjourn the meeting to such hour on the same date or to such date and hour as he may specify;

(b) Such adjournment shall be recorded by the Registrar and signed by the Chancellor or the Vice-Chancellor or the Pro-Vice-Chancellor as the case may be, if present and if all the three are absent, by the Registrar himself;

(c) No quorum shall be necessary for an adjourned meeting.

(d) No business shall be transacted at the meeting of the Senate unless atleast Twenty members including the chairman are present in the meeting.

10. If at any meeting including the adjourned meeting, during the process of business, any member calls attention to the presence of less members than required as per para 9(d) of this Direction, in the meeting, the Chairman shall adjourn the meeting forthwith.

11. (a) A minimum of thirty five days notice of the date, time and venue of the meeting shall be given by the Registrar.

Provided that in case of an Emergent meeting such previous notice shall be given as the circumstances in each case may permit.

Provided further that in case of an Requisitioned meeting atleast Fifteen days notice of the date, time and venue of the meeting shall be given by the Registrar .

(b) The requisite notice shall be dispatched by the Registrar to all members of the Senate and shall further be published by being posted on the notice board of Registrar's office.

12. Votes of thanks, message(s) of congratulation(s) or condolence(s), addresse (s) and other matter(s) of like nature may be moved from the Chair or by member with the permission of the Chair without previous notice.

13. (a) At the Annual meeting, the Management Council shall cause to be presented the Annual Report, the audited annual accounts of the University and the conducted college together with a copy of the Audit Report and financial statements for the ensuing year;

(b) The financial shall include the accounts of the previous year and the revised estimates of the current year.

(c) Any member desiring to raise any discussion on the Annual Report, the audited annual accounts and Audit Report or the financial statements, shall give three clear days notice of the point of discussion. Any resolution arising out of such discussion shall require no notice.

(d) At Annual meeting, the Senate shall consider the new academic programmes consistent with the social requirement, to review current academic/collaborative programmes(s) and to suggest measures for the improvement and development of the University.

- 14. (a)** Where at a meeting a member of the Senate desires to propose for the consideration of the Senate suo moto the draft of any Statute, he shall give notice to the Registrar of his intention to do so and forward, together with the notice, a copy of the draft of the Statute he desires to propose;

Provided that the Senate before considering the same shall obtain the opinion of the Management Council.

(b) The period of notice shall be the same as prescribed for the notice of a resolution in para 15 (a) of this Direction.

- 15. (a)** Subject to the provisions of Section 13(c) of this Direction, a member who wishes to move a resolution at the meeting of the Senate shall give Twenty-three clear days notice of his intention to do so to the Registrar and shall together with the notice submit a copy of the resolution which he wishes to move. The Vice-Chancellor may in his discretion allow to be entered on agenda any resolution received beyond time:

Provided that no member shall give notice of more than two resolutions for any meeting;

Provided further that where a member gives notice of more than two resolutions, the Vice-Chancellor shall direct the inclusion of the first two admissible resolutions in the serial order indicated in the notice given by the member.

(b) Before entering a resolution on the agenda of the meeting, the Vice-Chancellor shall decide upon the admissibility of a resolution

(c) A resolution to be admissible

(i) shall relate to matter which is primarily concern of the University.

(ii) shall be expressed clearly and precisely and shall raise substantially one definite issue;

(iii) shall not contain arguments, inference, imputation, ironical expressions or defamatory statement;

(iv) shall not refer to any matter of fact, on which a judicial decision is pending, or to a matter pending before any Statutory Tribunal or Statutory Authority performing any

judicial function, or any commission or court of enquiry or any authority appointed to enquire into or investigate a matter concerning the University;

(v) shall not refer to the character or conduct of any person except in his official or public capacity.

16. (a) The Vice-Chancellor shall decide the admissibility of a resolution as per para 15(c) of this Direction and may disallow any resolution which in his opinion does not comply with any of the conditions specified therein;

Provided that the Vice-Chancellor may give an opportunity to the member concerned to amend it.

(b) The decision of the Vice-Chancellor on the admissibility of a resolution shall be final and reason(s) for disallowing a resolution(s) shall be communicated by the Registrar to the concerned member Ten day before the date of meeting.

17. When any resolution relates to a matter, the consideration of which at the first instance, properly appertains to another authority or body of the University, the Vice-Chancellor may refer it to the appropriate authority or body for consideration and the opinion of that authority or body shall be placed before the Senate at its next meeting.

18. The Registrar, shall at least Fifteen clear days before the date of the meeting other than the Emergent meeting, forward to each member an agenda paper along with the enclosures showing the business to be brought before the meeting and resolution admitted by the Vice-Chancellor, if any, and the names of the proposers of the resolutions.

Provided that in case of an Emergent meeting, agenda paper(s) and relevant enclosure(s) shall be dispatched to each member along with the notice of the Emergent Meeting.

19. Any proposal before the meeting may be amended:-

(i) by leaving out a word or words; or

(ii) by leaving out a word or words in order to add or insert other word or words; or

(iii) by adding or inserting a word or words.

20. (a) Notice of an amendment to a resolution shall reach the Registrar ten clear days before the day of the meeting, and the Registrar shall, five clear days before the day of the meeting, forward to each member the amendment(s) which are in order.

(b) An amendment to be in order shall:-

- (i) not constitute a direct negative to the original resolution;
 - (ii) be relevant to and within the scope of the resolution to which it is moved.
 - (iii) not substantially raise a question already disposed of by the meeting or be inconsistent with any resolution already passed by the same meeting.
 - (c) The Chairman of the meeting shall, before permitting an amendment to be moved, decide the admissibility of the amendment in accordance with sub-para (b) above, and the decision of the Chairman shall final.
21. No amendments of which due notice has not been given shall be moved to a resolution unless:-
- (i) the Chairman rules it to be in order as arising out of the debate; and permission to move the amendment is given by a majority of the members present.
22. All questions as to whether proper notice of a resolutions or an amendment(s) has been given shall be decided by the Vice-Chancellor and his decision shall be final.
23. No business other than that contained in the agenda paper shall be transacted at a meeting except with the consent of the Chairman of the meeting and the permission is granted to introduce it by the majority of the members present.
24. Every resolution which has been admitted and every amendment thereto, must be moved and seconded, otherwise it shall drop.
25. (a) When resolution has been moved and seconded, it shall be stated from the Chair, All amendments to such resolution shall then be moved, seconded and stated from the Chair. The amendments shall taken in such order as the Chairman may determine.
- (b) The seconder of a resolution or of the amendment, may reserve his speech with the permission of the Chairman.
 - (c) After the resolution and all amendments are stated, the debate may proceed on the original motion and the amendment or amendments together and no further amendment shall be received except with the permission of the Chair.
26. (a) The mover of a resolution shall have a right of reply to the debate.

- (b) When the Chairman has ascertained that no other member entitled to address the meeting desires to speak, the mover of the original resolution may reply upon the whole debate.
 - (c) No member shall speak on the resolution after the mover has completed his reply.
- 27. The Chairman may at any stage in the proceeding, explain the scope and effect of a motion or amendment. He may also, at the conclusion of a debate sum up the debate, if he so desires.
- 28. (a) At any time after a resolution has been moved, any member who considered that sufficient discussion has taken place on the resolution may move a closure motion that the question be now put for vote and the Chairman, on such motion being moved, shall put it to vote without any discussion
 - (b) If the motion is carried the Chairman shall call upon the mover for his reply to the resolution and shall then put the motion and amendment, if any, to vote.
 - (c) When a closure motion has been negative, no other motion of that nature shall be brought forward until after the lapse of what the Chairman shall deem a reasonable time.
- 29. No member shall speak for more than ten minutes when proposing a motion or an amendment, or for more than five minutes when seconding or speaking to a motion or an amendment or when replying. These time limits may be reduced by the Chairman at his discretion.
- 30. (a) The member who first rises to speak at the conclusion of a speech, has the right to be heard. When two or more members rise to speak at the same time, the Chairman shall decide who shall speak first.
 - (b) Except as hereafter provided, a member who has spoken to a motion or to an amendment or amendments, as the case may be, is not at liberty to speak again unless permitted by the Chairman.
- 31. (a) Any member without notice or without its being included on the agenda may move any of the following dilatory motions:-
 - (i) to dissolve the meeting;
 - (ii) to adjourn the meeting;
 - (iii) to adjourn the debate;
 - (iv) to change the order of business;
 - (v) to refer any matter to any authority of the University;
 - (vi) to appoint a Committee;

- (b) The mover of a dilatory motion shall have no right to reply.
- (c) A motion "that this meeting be now dissolved" or "that this meeting be now adjourned to (some specified date and hour)" may be moved at any time as a distinct question put, not as an amendment, nor so as to interrupt a speech.
- (d) If a motion for dissolution is carried, the business before the meeting shall drop.
- (e) If a motion for adjournment is carried, the meeting shall be adjourned, and the remaining business shall be resumed at the adjourned meeting.
- (f) A motion "that the debate be now adjourned to some specified date and hour" may be moved in the manner prescribed in sub-Para (c) above and, if it be carried, shall have the effect of postponing the debate on the question under consideration and the other items on the agenda shall be proceeded with. If the motion is negated, the debate shall be resumed.
- (g) A meeting or debate resumed or continued after the adjournment, is to be deemed one with that preceding the adjournment.
- (h) A motion that "the order of business be changed" may be moved in the manner provided for in a sub-para (c) above and, if the motion is carried, the order of business shall stand changed in accordance with the motion
- (i) A motion that "a matter under discussion be referred to any authority of the University" may be made at any time in like manner provided for in sub-para (c) above and, if such motion is carried the matter shall stand referred to the concerned authority.
- (j) A motion for the appointment of a Committee may be made by any member at any time. Such a motion must define the purpose for which the Committee is to serve and the names of the members to compose it. Amendments may without notice be made enlarging or restricting the purpose of a Committee or proposing other names to compose it. A ballot shall be taken, if necessary and the requisite number appointed from those who secure the largest number of votes.
- (k) The quorum of a Committee shall be determined and its Chairman shall be appointed by the Senate at the time of the appointment of the Committee.

- (l) The Committee shall submit a report signed by the members with notes of dissent, if any, and it shall be considered by the Senate at its next meeting.
32. A motion or amendment may be withdrawn by the mover with the consent of the meeting.
33. Any motion or amendment standing in the name of a member who is absent from a meeting may be brought forward by any other member with the permission of the Chair.
34. When the debate is concluded, the Chairman shall put the question to vote of the meeting in the following manner.
- (a) If a number of amendments have been moved to the resolution under consideration, the Chairman shall decide the order in which he shall put the amendments for obtaining the vote of the meeting. In laying down the order, the Chairman shall put more comprehensive amendment lower in the serial order, so that the less comprehensive amendments should not be stifled.
- (b) The Chairman shall first state the resolution and the amendment in the order laid down under sub-para (a) above.
- (c) If the amendment on which a vote is taken is negative, the Chairman shall proceed to the next amendment in the serial order and so on.
- (d) When an amendment is carried, the Chairman shall state from the Chair the motion is amended and the remaining amendments, if they are in order shall be put to the vote of the meeting in like manner.
- (e) When all amendments have thus been dealt with, the Chairman shall, if no amendment has been carried, take the vote of the meeting on the Principal motion and if any motion as amended by the amendment.
35. (a) On putting any question to vote, the Chairman shall call for an indication of the opinion of the Senate by a show of hands in the affirmative and negative and shall declare the result thereof;
- (b) Any ten members may then demand a division, except on a motion of the kind contemplated in para 31 of this Direction. The Chairman shall thereupon give such direction for effecting the division as he shall consider expedient and shall nominate scrutinizers to count the votes. The names of the members who vote for or against the motion, or decline to vote, shall be recorded.

(c) If no division is demanded, any member shall have the right to dissent and to have that fact of his dissent recorded, provided that such dissent be announced as soon as the Chairman shall have declared the result of voting.

36. (a) All questions shall be decided by a majority of votes of the members present. If the votes, including that of the Chairman, are equally divided, the Chairman shall have a casting vote.
37. A resolution once disposed of shall not again be brought forward at the same meeting or at any adjourned thereof.
38. (a) Any member of the Senate shall be entitled to put question regarding any matter connected with the administration of the University. A member so putting a question or any other member of the Senate shall be entitled to put supplementary questions. Notice of question other than supplementary questions shall be given not less than twenty days before the date of the meeting:-

Provides firstly, that no question shall be admitted, unless it complies with the following conditions:-

- (i) it shall not publish any name or statement not strictly necessary to make the question intelligible;
- (ii) if question contains a statement, the member asking it shall make himself responsible for the accuracy of the statement;
- (iii) it shall not ask for an expression of opinion or the solution of an abstract legal question of a hypothetical proposition;
- (iv) it shall not contain ironical expressions or defamatory statements;
- (v) it shall not refer to the character or conduct of any person except in his official capacity as connected with the University.

Provided secondly, that no member shall give notice of more than three questions for any meeting;

Provided further that where a member gives notice of more than three questions, the Vice-Chancellor shall direct inclusion of the first three admissible questions in the serial order indicated in the notice given by members.

- (b) The decision of the Vice-Chancellor on the admissibility of question shall be final and the reason(s) for disallowing the question(s) shall be communicated by the Registrar to the concerned members.

39. Any member may call the Chairman's attention to a point of order even while another member is addressing the meeting, but no speech shall be made on such point of order. The Chairman, after hearing any other member on the point of order, if he consider it necessary to do so, shall give his ruling, that shall be final and conclusive.
40. Any member may, with the permission of the Chairman, rise even while another member is speaking, to explain any expression used by himself which may have been misunderstood by the speaker, but he shall confine himself strictly to such explanation.
41. The Chairman shall maintain order at a meeting and for that purpose may call any member to order, and may, if necessary dissolve the meeting or adjourn it to some hour on the same or the following day.
42. In all cases of election/nomination other than those specifically provided for otherwise, the candidates shall be proposed and seconded. If no more candidates are proposed than there are vacancies to be filled, the Chairman shall declare those candidates to be elected/nominated. If the number of candidates exceeds the number of vacancies, the voters shall state on the ballot paper the names of the candidates they desire to vote for, upto the limit of the number of vacancies
43. No matter which has been decided by the Senate shall, within a period of twelve months, be reconsidered except at a special meeting of the Senate convened for the purpose in accordance with para 4(b) and (c) of this Direction, motion for revision shall be deemed to be carried unless three-fourths of the member present at such meeting vote in favour thereof.
44. Minutes of the meeting(s) shall be recorded in writing and signed by the Registrar and countersigned by the Chairman. A copy of the proceedings shall be dispatched to each members within Four weeks from the date of the meeting.
45. Once every six months, or at such other intervals as the Senate shall direct, the Management Council shall cause the minutes of the Senate to be printed and a copy thereof to be forwarded to each member.

46. In any case not provided for in this Direction, the Chairman shall be entitled to give his ruling as to procedure and such ruling shall be final.
47. Representatives of the press/media and visitors may be admitted to meeting of the Senate with the permission of the Registrar.
48. The Statute No. 1 of 2001 under the Maharashtra Universities Act, 1994 shall hereby stand repealed.

Gadchiroli.

Date :

15/01/2018


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

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