

to such modifications or annulments as the two Houses of Legislature may during the said period agree to make, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

CHAPTER XII

PENALTIES AND PROCEDURE

61. Penalties.—(1) Whoever contravenes the provisions of Section 46 shall, on conviction, be punished, with imprisonment for a term which may extend to three months or with fine which may extend to one thousand rupees or both.

(2) Any person who—

- (a) having in his possession, custody or control any property of a college in respect of which an order has been made under Section 58 wrongfully withholds such property from the Authorised Controller appointed under that section or from any person authorised by him in that behalf ; or
- (b) wrongfully obtains possession of any property of such college ; or
- (c) wilfully withholds or fails to furnish the Authorised Controller or any person specified by him as required by sub-section (2) of Section 60 any books or other documents which may be in his possession, custody or control ; or
- (d) wilfully obstructs any person from duly carrying out all or any of the provisions of this Act ;

shall, on conviction be punished with imprisonment for a term which may extend to one year, or with fine or with both :

Provided that the Court trying any offence under clause (a) or clause (b) of this sub-section may at the time of convicting the accused person, order him to deliver up or refund within a time to be fixed by the Court any property wrongfully withheld or wrongfully obtained or any books or other documents wilfully withheld.

62. Cognizance by Courts.—No court shall take cognizance of an offence punishable under Section 61 except with previous sanction of the Director of Education (Higher Education).

63. Offences by registered societies.—(1) If the person committing the offence under Section 61 is a society registered under the Societies Registration Act, 1860, the society as well as every person in charge of and responsible to the society for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where any offence under this Act has been committed by a registered society and it is proved that the offence has been committed with the consent or connivance of, or that the commission of offence is attributable to any neglect on the part of any member of the society, such member shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

CHAPTER XIII MISCELLANEOUS

64. Manner of appointment of officers and members of authorities.—(1) Except as expressly provided by this Act or the Statutes, officers of the University and members of authorities of the University shall so far as may be, be chosen by methods other than election

(2) Where a provision is made in this Act or the Statutes for any appointment by rotation or according to seniority or other qualifications the manner or rotation and determination of seniority and other qualifications shall be such as may be prescribed.

(3) Where a provision for an election is made in this Act, such election shall be conducted according to the system of proportional representation by means of the single transferable vote, and where provision for an election is made in the Statutes it shall be held in such manner as the Statutes may provide.

(4) Except as expressly provided by this Act, no officer or employee of the University shall be eligible to seek election to any authority or other body of the University.

65. Filling of casual vacancies.—(1) Any casual vacancy among the members, other than *ex-officio* members, of any authority or body of the University shall be filled in the same manner in which the members whose vacancy is to be filled up was chosen, and the person filling the vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

(2) A person, who is a member of any authority of the University as a representative of another body, whether of the University or outside, shall retain his seat on such authority for so long as he continues to be the representative of such body and thereafter till his successor is duly appointed.