

- (b) take over the functions of holding of examinations for courses prescribed by Board of Homoeopathic Medicine constituted under the said Act and granting diplomas and shall exercise and perform all the powers and functions of such Board under the said Act with respect to holding of such examinations and granting of diplomas.

### CHAPTER III INSPECTION AND INQUIRY

8. **Visitation.**—(1) The State Government shall have the right to cause an inspection to be made by such person or persons as it may direct, of the University or any constituent college or any Institute maintained by the University, including its buildings, libraries, laboratories, workshops and equipment and also of the examinations, teaching and other work conducted or done by the University or such colleges or Institute or to cause an inquiry to be made in the like manner in respect of any matter connected with the administration and finances of the University or such college or such Institute.

(2) Where the State Government decides to cause an inspection or inquiry to be made under sub-section (1), it shall inform the University of the same through the Registrar, and any person nominated by the Executive Council may be present at such inspection or inquiry as representative of the University and he shall have the right to be heard as such :

Provided that no legal practitioner shall appear, plead or act on behalf of the University at such inspection or inquiry.

(3) The person or persons appointed to inspect or inquire under sub-section (1) shall have all the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908, for the purpose of taking evidence on oath and enforcing the attendance of witnesses and compelling production of documents and material objects, and shall be deemed to be a civil court within the meaning of [Sections 345 and 346 of the Code of Criminal Procedure, 1973],<sup>1</sup> and any proceeding before him or them shall be deemed to be judicial proceeding within the meaning of Sections 193 and 228 of the Indian Penal Code.

(4) The State Government shall address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Executive Council the views of the State Govern-

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1. Substituted by U. P. Act No. 5 of 1977. Originally, the words and figures were "Sections 480 and 482 of the Code of Criminal Procedure, 1898".

ment with such advice as the State Government may offer upon the action to be taken thereon.

(5) The Vice-Chancellor shall then within such time as the State Government may fix, submit to it a report of the action taken or proposed to be taken by the Executive Council.

(6) If the University authorities do not within a reasonable time, take action to the satisfaction of the State Government, the Government may, after considering any explanation which the University authorities may furnish, issue such directions as it may think fit, and the University authorities shall be bound to comply with such directions.

(7) The State Government shall send to the Chancellor a copy of every report of an inspection or inquiry caused to be made under sub-section (1) and of every communication received from the Vice-Chancellor under sub-section (5) and of every direction issued under sub-section (6) and also of every report or information received in respect of compliance or non-compliance with such direction.

(8) Without prejudice to the provisions of sub-section (6) if the Chancellor on consideration of any document or material referred to in sub-section (7) of this section including any report of an inquiry held before the commencement of this Act, is of opinion that the Executive Council has failed to carry out its functions or has abused its powers, he may, after giving it an opportunity of submitting a written explanation, order that in supersession, of the said Executive Council, an *ad hoc* Executive Council, consisting of the Vice-Chancellor and such other persons not exceeding ten in number as the Chancellor may appoint in that behalf including any member of the superseded Executive Council, shall for such period not exceeding two years as the Chancellor may from time to time specify, and subject to the provisions of, sub-section (11), exercise and perform all the powers and functions of the Executive Council under this Act.

(9) Nothing in Section 20 shall apply to the composition of the *ad hoc* Executive Council that may be constituted under sub-section (8).

(10) Upon an order being made under sub-section (8), the term of office of all members of the Executive Council superseded thereby, including *ex officio* members, shall cease and all such members shall vacate their offices as such.

(11) During the period of operation of an order under sub-section (8), the provisions of this Act, shall have effect subject to the following modifications namely—

- (a) in Section 20, after sub-section (5), the following sub-section shall be deemed inserted :

'(6) A meeting of the Executive Council shall be held at least once every two months';

(b) in Section 21, in sub-section (1), after the words 'subject to the provisions of this Act', the words 'and subject also to the control of the Chancellor' shall be deemed inserted ;

(c) in Section 24, in sub-section (2), the words 'and shall upon a requisition in writing signed by not less than one-fourth of the total membership of the Court' shall be deemed omitted.

(12) A fresh Executive Council shall be constituted in accordance with the provisions of Section 20 with effect from the expiration of the period of operation of an order under sub-section (8).

(13) Any Statute, Ordinance, Regulation or other rules made during the period of operation of an order under sub-section (8), in accordance with the provisions of this Act, as deemed modified by virtue of the provisions of sub-section (11) shall, notwithstanding the expiration of such period, continue in force until amended, repealed or rescinded in accordance with the provisions of this Act.

#### CHAPTER IV

#### OFFICERS OF THE UNIVERSITY

9. **Officers of the University.**—The following shall be the officers of the University—

- (a) the Chancellor;
- (b) in the case of Sampurnanand Sanskrit Vishvavidyalaya only, the Pro-Chancellor;
- (c) the Vice-Chancellor;
- (d) in the case of Universities referred to in sub-section (1) of Section 14, the Pro-Vice-Chancellor;
- (e) the Finance Officer ;
- (f) the Registrar;
- (g) the Deans of the Faculties;
- (h) the Dean of Students Welfare;
- (i) such other officers as may be declared by the Statutes to be the officers of the University.

10. **The Chancellor.**—(1) The Governor shall be the Chancellor of the University. He shall, by virtue of his office, be the Head of the University and the President of the Court and shall, when present, preside at meeting of the Court and at any convocation of the University.