

Section 11 of the Maharashtra Public Universities Act 2016

Appointment of the Vice-Chancellor

11. (1) There shall be a Vice-Chancellor who shall be the principal academic and executive officer of the university and *ex-officio* Chairperson of the Management Council, Academic Council, Board of Examinations and Evaluation, Board of Lifelong Learning and Extension, Finance and Accounts Committee, Board of National and International Linkages and the Board for Innovation, Incubation and Enterprise, Board of Information Technology, Board of Students' Development, Board of Sports and Physical Education and Board of Research and shall preside in the absence of the Chancellor at any convocation for conferring degrees and also at any meeting of Senate. His powers and duties shall be as provided in section 12.

(2) Save as otherwise provided, pay and allowances, terms and conditions of service of the Vice-Chancellor shall be such as may be determined by the State Government, from time to time.

(3) The Vice-Chancellor shall be appointed by the Chancellor in the manner stated hereunder:—

(a) There shall be a committee consisting of the following members to recommend suitable names to the Chancellor for appointment of Vice-Chancellor, namely:—

(i) a member nominated by the Chancellor, who shall be the retired Judge of the Supreme Court or retired Chief Justice of a High Court or an eminent scholar of national repute or a recipient of Padma Award in the field of education;

(ii) the Principal Secretary of Higher and Technical Education Department or any officer not below the rank of Principal Secretary to Government nominated by the State Government;

(iii) the Director or Head of an institute or organization of national repute established by an Act of Parliament, nominated by the Management Council and the Academic Council, jointly, in the manner specified by the State Government by an order published in the *Official Gazette*.

(b) The member nominated by the Chancellor shall be the Chairman of the committee.

(c) The members nominated on the committee shall be persons who are not connected with the university or any college or any recognized institution of the university.

(d) No meeting of the committee shall be held unless all the three members of the committee are present.

(e) The committee shall recommend a panel of not less than 5 suitable persons for the consideration of the Chancellor for being appointed as the Vice- Chancellor. The names of the

persons so recommended shall be in alphabetical order without any preference being indicated. The report shall be accompanied by a detailed write-up on suitability of each person included in the panel.

(f) A person recommended by the committee for appointment as Vice-Chancellor shall,-

(i) be an eminent academician and an administrator of high caliber;

(ii) be able to provide leadership by his own example;

(iii) be able to provide vision; and have ability to translate the same into reality in the interest of students and society; and

(iv) possess such educational qualifications and experience as may be specified by the State Government, by an Order published in the *Official Gazette*, in consultation with the Chancellor.

(g) The eligibility conditions and the process for recommendation of names for appointment as Vice-Chancellor shall be given wide publicity to ensure the recommendation of most suitable candidates.

(4) The Chancellor may appoint one of the persons included in the panel to be the Vice-Chancellor:

Provided, that, if the Chancellor does not approve any of the persons so recommended, he may call for a fresh panel either from the same committee or after constitution of a new committee for the purpose, from such new committee.

(5) The process of preparing the panel of the suitable persons for being appointed as the Vice-Chancellor, shall begin at least six months before the probable date of occurrence of the vacancy of the Vice-Chancellor, and the process of appointment of the Vice-Chancellor shall be completed at least one month before the probable date of occurrence of the vacancy of the Vice-Chancellor.

(6) The person appointed as the Vice-Chancellor shall, subject to the terms and conditions of contract of service, hold office for a period of five years from the date on which he takes charge of his office or till he attains the age of sixty-five years, whichever is earlier and he shall not be eligible for re-appointment.

(7) The person appointed as the Vice-Chancellor shall hold a lien, if any, on the substantive post held by him prior to the appointment.

(8) In any of the following circumstances, the exigency whereof shall solely be judged by the Chancellor, namely:-

(i) where the committee appointed under clause (a) of sub-section (3) is unable to recommend any name within the time limit specified by the Chancellor;

(ii) where the vacancy occurs in the office of the Vice-Chancellor because of death, resignation or otherwise, and it cannot be conveniently and expeditiously filled in, in accordance with the provisions of sub-sections (3) and (4);

(iii) where the vacancy in the office of the Vice-Chancellor occurs temporarily because of leave, illness or other causes; or

(iv) where there is any other emergency;

the Chancellor may appoint any suitable person, to act as the Vice-Chancellor for a term not exceeding twelve months, in the aggregate as may be specified in his order :

Provided that, the person so appointed shall cease to hold such office on the date on which the person appointed as the Vice-Chancellor in accordance with the provisions of sub-sections (3) and (4) assumes office or the Vice-Chancellor resumes office.

(9) The Vice-Chancellor shall be a whole-time salaried officer of the university and shall receive pay and allowances, and other facilities as determined by the State Government. In addition, he shall be entitled to free furnished residence, a motor car including its maintenance, repairs and fuel required therefor, with the service of a chauffeur, free of charge.

(10) Such sumptuary allowance shall be placed at the disposal of the Vice-Chancellor, as the State Government may approve.

(11) If a person receiving an honorarium from the consolidated fund of the State, or if a principal of an affiliated college or a recognized institution or a university teacher is appointed as Vice-Chancellor, his terms and conditions of service shall not be altered to his disadvantage during his tenure as Vice-Chancellor.

(12) Notwithstanding anything contained in the foregoing sub-sections, the person referred to in sub-section (7) shall stand retired from his original post in accordance with the terms and conditions of service of that post.

(13) The Vice-Chancellor may, by writing under his signature addressed to the Chancellor, after giving one month's notice resign from his office and shall cease to hold his office on the acceptance of his resignation by the Chancellor or from the date of expiry of the said notice period, whichever is earlier.

(14) The Vice-Chancellor may be removed from his office if the Chancellor is satisfied that the incumbent,—

- (a) has become insane and stands so declared by a competent court; or
- (b) has been convicted by a court for any offence involving moral turpitude; or
- (c) has become an undischarged insolvent and stands so declared by a competent court; or
- (d) has been physically unfit and incapable of discharging functions due to protracted illness or physical disability; or
- (e) has willfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service or any other conditions, prescribed by the State Government under sub-section (2), or has abused the powers vested in him or if the continuance of the Vice-Chancellor in the office is detrimental to the interests of the university; or
- (f) is a member of, or is otherwise associated with, any political party any organization which takes part in politics, or is taking part in, or subscribing in aid of, any political movement or activity.

Explanation.- For the purposes of this sub-clause, whether any party is a political party, or whether any organization takes part in politics or whether any movement or activity falls within the scope of this sub-clause, the decision of the Chancellor thereon shall be final :

Provided that, the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under sub-clauses (d), (e) and (f).

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