

**THE GUJARAT UNIVERSITY OF TRANSPLANTATION
SCIENCES (AMENDMENT) BILL, 2024.**

GUJARAT BILL NO. 5 OF 2024.

A BILL

*further to amend the Gujarat University of Transplantation Sciences
Act, 2015.*

It is hereby enacted in the Seventy-fifth Year of the Republic of
India as follows: -

1. This Act may be called the Gujarat University of Transplantation **Short title.**
Sciences (Amendment) Act, 2024.

- Amendment of section 2 of Guj. 9 of 2015.**
- 2.** In the Gujarat University of Transplantation Sciences Act, 2015 **Guj. 9 of 2015.**
(hereinafter referred to as “the principal Act”), in section 2, -
- (1) clause (15) shall be deleted;
- (2) after clause (23), the following clause shall be inserted, namely: -
“(24) “Vice-Chancellor” means the Vice-Chancellor of the University.”.
- Amendment of section 3 of Guj. 9 of 2015.**
- 3.** In the principal Act, in section 3, -
- (1) in sub-section (2), for the word “Pro-Chancellor”, the word “Chancellor” shall be substituted;
- (2) after sub-section (5) the following sub-section shall be inserted namely: -
“(6) The Institute shall function under the University.”.
- Amendment of section 9 of Guj. 9 of 2015.**
- 4.** In the principal Act, in section 9, in clause (i), for the word “Pro-Chancellor”, the word “Chancellor” shall be substituted.
- Substitution of section 10 of Guj. 9 of 2015.**
- 5.** In the principal Act, for section 10, the following section shall be substituted, namely: -
“**Chancellor. 10.** (1) The Governor of the State of Gujarat shall be the Chancellor of the University.
(2) The Chancellor shall, by virtue of his office, be the head of the University and shall, if present, preside at the Convocation of the University held for conferring degrees.”.
- Deletion of section 11 of Guj. 9 of 2015.**
- 6.** In the principal Act, section 11 shall be deleted.

7. In the principal Act, for section 12, the following section shall be substituted, namely: -

Substitution of section 12 of Guj. 9 of 2015.

“Vice-Chancellor.

12. (1) The Vice-Chancellor shall be appointed by the State Government, who shall be the principal academic and executive officer of the University and *ex-officio* Chairperson of the Board of Governors, Academic Council, Executive Council and Finance Committee.

(2) The Vice-Chancellor shall be a Post-Graduate doctor of eminence with twenty years of professional experience out of which minimum seven years of experience shall be in organ transplantation or transplantation related research.

(3) The Vice-Chancellor shall, subject to the terms and conditions of contract of service, hold office for a term of five years from the date on which he takes charge of his office and shall be eligible for re-appointment for one more term only:

Provided that no person appointed as a Vice-Chancellor shall continue to hold his office as such after he attains the age of sixty-seven years.

(4) Where a vacancy in the office of the Vice-Chancellor occurs on account of death, resignation or otherwise, the State Government shall appoint as soon as possible, a suitable person to be the Vice-Chancellor of the University in accordance with sub-sections (1) and (2).

(5) The Vice-Chancellor may, by writing under his signature addressed to the State Government, resign from his office and such resignation shall take effect from the date of acceptance of resignation by the State Government.”.

**Amendment of
section 13 of
Guj. 9 of 2015.**

- 8.** In the principal Act, in section 13, -
- (1) in clause (ii), for the words “Executive Council”, the words “Board of Governors, Executive Council” shall be substituted;
 - (2) for clause (vi), the following clause shall be substituted, namely: -
“(vi) exercise such other powers and perform such other duties as may be assigned to him by or under this Act or the regulations or as may be delegated to him by the State Government;”;
 - (3) after clause (vi), the following clauses shall be added, namely: -
“(vii) the Vice-Chancellor shall have, subject to the provisions of this Act, power to authorise such person or persons as he may direct to make an inspection or review of the University, its buildings, hostels, libraries, equipments and systems and processes of any institution or centre maintained by the University, and also of the examinations, teaching, research and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration, academic affairs and finances of the University;
(viii) the Vice-Chancellor shall be the *ex-officio* Director of the institute.”.

**Deletion of
section 14 of
Guj. 9 of 2015.**

- 9.** In the principal Act, section 14 shall be deleted.

**Amendment of
section 15 of
Guj. 9 of 2015.**

- 10.** In the principal Act, in section 15, for sub-section (2), the following sub-section shall be substituted, namely: -
- “(2) The Vice-Chancellor shall nominate the Deans with the approval of the Board of Governor, -
- (i) from amongst the professors and Heads of Departments of IKDRC-ITS; or
 - (ii) from amongst the academic faculty of the University who are in the professor scale and having not less than 15 years of professional experience.”.

- 11.** In the principal Act, in section 20, -
- Amendment of section 20 of Guj. 9 of 2015.**
- (1) in sub-section (1),
- (i) clause (i) shall be deleted;
- (ii) for clause (vi), the following clause shall be substituted, namely:-
- “(vi) Four members, to be nominated by the State Government, out of which two members shall be from the Governing body of the Institute, other than *ex-officio* members, and remaining two members having experience in Administration or Management or Finance or Law or Health Care.”;
- (2) in sub-section (3), in clause (iii), for the words “Pro-Chancellor”, the words “Vice-Chancellor” shall be substituted;
- (3) in sub-section (4), for the words “Pro-Chancellor”, the words “Vice-Chancellor” shall be substituted;
- (4) for sub-section (6), the following sub-section shall be substituted, namely: -
- “(6) Every meeting of the Board of Governors shall be presided over by the Vice-Chancellor and in his absence, by a member, who is chosen by the members present at the meeting.”.
- 12.** In the principal Act, in section 21, in sub-section (2), in clause (ix), for the word “Pro-Chancellor”, the word “Vice-Chancellor” shall be substituted. **Amendment of section 21 of Guj. 9 of 2015.**
- 13.** In the principal Act, in section 36, in sub-section (2), for the word “Pro-Chancellor” wherever they occur, the word “Vice-Chancellor” shall be substituted. **Amendment of section 36 of Guj. 9 of 2015.**
- 14.** In the principal Act, in section 38, in sub-section (2), in clause (ii), the word “Pro-Chancellor” shall be deleted. **Amendment of section 38 of Guj. 9 of 2015.**
- 15.** In the principal Act, in section 39, the word “Pro-Chancellor” shall be deleted. **Amendment of section 39 of Guj. 9 of 2015.**

Amendment of section 42 of Guj. 9 of 2015. **16.** In the principal Act, in section 42, the clause (v) shall be deleted.

STATEMENT OF OBJECTS AND REASONS

The Gujarat University of Transplantation Sciences has been established in the State of Gujarat under the Gujarat University of Transplantation Sciences Act, 2015 to impart proper and systematic instruction, teaching, training and research in transplantation and allied sciences in the State and also to confer the status of University to Smt. Gulabben Rasiklal Doshi and Smt. Kamlaben Mafatlal Mehta Institute of Kidney Diseases and Research Centre-Dr. H.L. Trivedi Institute of Transplantation Sciences (IKDRC-ITS).

Section 10 of the said Act provides for the appointment of Pro-Chancellor of the University. The State Government considers it necessary to remove the office of the Pro-Chancellor so as to bring the parity with the other Universities laws. It is considered necessary that the Governor of Gujarat shall preside at the convocation as a Chancellor of the University. Therefore, necessary amendments have been proposed to be made in the said Act of 2015.

Existing sections 12 and 13 have been proposed to be amended to provide for the terms and conditions subject to which the Vice-Chancellor shall be appointed as also to provide for the powers and functions of the Vice-Chancellor. Other consequential amendments have also been proposed in certain sections of the said Act.

This Bill seeks to amend the said Act to achieve the aforesaid object.

Dated 22nd February, 2024.

RUSHIKESH PATEL.

*ANNEXURE***EXTRACT FROM THE GUJARAT UNIVERSITY OF
TRANSPLANTATION SCIENCES ACT, 2015.****(Guj. 9 of 2015)**

Definitions.	2. (1) to (14)	XXX	XXX	XXX
	(15) "Pro-Chancellor" means the Pro-Chancellor of the University appointed under section 10;			
	(16) to (23)	XXX	XXX	XXX
Establishment and incorporation of University.	3. (1)	XXX	XXX	XXX
	(2) The Pro-Chancellor, Vice-Chancellor, Deans, Registrar, Finance and Accounts Officer, Controller of Examinations, Board of Governors, Executive Council, Academic Council, Finance Committee and all other persons who may hereafter become such officers or members so long as they continue to hold such office or membership, shall constitute a body corporate by the name of the "Gujarat University of Transplantation Sciences".			
	(3) to (5)	XXX	XXX	XXX
Officers of University.	9.	The following shall be the Officers of the University, namely: -		
	(i) the Pro-Chancellor;			
	(ii) to (vii)	XXX	XXX	XXX
Pro-Chancellor.	10. (1)	There shall be a Pro-Chancellor of the University, who shall be appointed by the State Government in consultation with the Board of Governors.		

(2) The Pro-Chancellor shall be an eminent person with atleast 20 years of experience in the field of transplantation which may include the experience of research in the field transplantation.

(3) The Pro-Chancellor shall hold office for a period of five years and shall be eligible for reappointment.

(4) Where a vacancy in the office of the Pro-Chancellor occurs on account of death, resignation or otherwise, the State Government shall appoint as soon as possible, a suitable person to be the Pro-Chancellor of the University in accordance with the provision of sub-section (1). Till such appoint is made by the State Government, the Vice-Chancellor shall perform the duties and discharge the functions of the Pro-Chancellor.

(5) The Pro-Chancellor may resign from his office by writing under his hand addressed to the State Government and such resignation shall take effect from the date of acceptance by the State Government.

11. (1) The Pro-Chancellor shall preside over the meetings of the Board of Governors and at the convocation of the University.

**Powers of
Pro-Chancellor.**

(2) The Pro-Chancellor shall exercise such other powers and perform such other duties as may be assigned to him by or under this Act or regulations made thereunder.

(3) The Pro-Chancellor shall have, subject to the provisions of this Act, power to cause an inspection or review, to be made by such person or persons as he may direct, of the University, its buildings, hostels, libraries, equipments and systems and processes of any institution or center maintained by the University, and also of the examinations, teaching, research and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration, academic affairs and finances of the University.

Vice-Chancellor. 12. (1) The Vice-Chancellor shall be appointed by the State Government, in consultation with the Pro-Chancellor.

(2) The qualifications and other terms and conditions of the Vice-Chancellor shall be such as may be determined by the State Government.

(3) The Vice-Chancellor shall hold office for a period of five years and shall be eligible for reappointment.

(4) Where a vacancy in the office of the Vice-Chancellor occurs on account of death, resignation or otherwise, the State Government shall appoint as soon as possible, a suitable person to be the Vice-Chancellor of the University in accordance with the provision of sub-section (1).

(5) The Vice-Chancellor may resign from his office by writing under his hand addressed to the State Government through the Pro-Chancellor, and such resignation shall take effect from the date of acceptance by the State Government.

Powers and functions of Vice-Chancellor. 13. The Vice-Chancellor shall –

(i) XXX XXX XXX

(ii) preside over at the meetings of the Executive Council, Academic Council and the Finance Committee;

(iii) to (v) XXX XXX XXX

(vi) exercise such other powers and perform such other duties as may be assigned to him by or under this Act or the regulations or as may be delegated to him by the Board of Governors or by the Pro-Chancellor.

Emergency powers of Vice-Chancellor. 14. (1) Where any matter is of an urgent nature requiring immediate action and the same cannot be immediately dealt with by the Pro-Chancellor or any authority or body of the University empowered under this Act to deal

(3) (i) and (ii) XXX XXX XXX

(iii) A nominated member may resign from his office by writing under his hand addressed to the Pro-Chancellor and his resignation shall take effect from the date of acceptance of such resignation.

(iv) XXX XXX XXX

(4) The Board of Governors shall meet as often as may be necessary, on the dates to be fixed by the Pro-Chancellor. However, the Pro-Chancellor may, whenever he thinks fit, convene a special meeting of the Board of Governors. The rules of procedure for conduct of business to be followed at a meeting and such other matters in relation to meeting as may be necessary shall be such as may be prescribed by the regulations.

(5) XXX XXX XXX

(6) Every meeting of the Board of Governors shall be presided over by the Pro-Chancellor and in his absence, by the Vice-Chancellor and in the absence of both, by a member, who is chosen by the members present at the meeting.

(7) XXX XXX XXX

**Powers and
functions of
Board of
Governors.**

21. (1) XXX XXX XXX

(2) The Board of Governors shall have the following powers, namely:-

(i) to (viii) XXX XXX XXX

(ix) if urgent action by the Board of Governors becomes necessary, the Pro-Chancellor may permit the business to be transacted by circulation of papers to the members of the Board of Governors; The action proposed to be taken shall not be so taken unless agreed to, by the majority of the members of the Board of Governors. The action so taken shall be forthwith intimated to all

members of the Board of Governors and the papers shall be placed before the next meeting of the Board of Governors for confirmation;

(x) to (xii) XXX XXX XXX

36. (1) XXX XXX XXX

(2) An appeal against an order under sub-section (1) shall be preferred to the Pro- Chancellor within ninety days from the date of communication of such order and the decision of the Pro-Chancellor in such appeal shall be final.

Dismissal, removal, reduction or termination of services of staff of University.

38. (1) XXX XXX XXX

(2) In particular and without prejudice to the generality of the foregoing powers, such regulations may provide for all or any of the following matters, namely: -

Power to make regulations.

(i) XXX XXX XXX

(ii) the other powers and functions to be exercised and discharged by the Pro- Chancellor, Vice-Chancellor, Deans, Registrar, Finance and Accounts Officer and other Officers of the University;

(iii) to (xxv) XXX XXX XXX

39. No suit, prosecution or other legal proceedings shall lie "against and no damage shall be claimed from the University, Pro- Chancellor, Vice-Chancellor, Directors, Professors, Associate Professors, Assistant Professors, Deans, Readers, Lecturers authorities or Officers or employees of the University or any other person in respect of anything which is done in good faith or purporting to be done in pursuance of this Act or any regulations made thereunder.

Indemnity and legal proceedings.

Transitory provisions for first officers and officials of University.

42. Notwithstanding anything contained in this Act –

(i) to (iv)

XXX

XXX

XXX

(v) the existing officers and employees of the IKDRC-ITS, Ahmedabad shall be deemed to be the officers and employees of the University subject to fulfillment of eligibility criteria and approval of the Executive Council.

GUJARAT LEGISLATURE SECRETARIAT

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*further to amend the Gujarat University of
Transplantation Sciences Act, 2015.*

**[SHRI RUSHIKESH PATEL,
MINISTER FOR HEALTH]**

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Secretary,
Gujarat Legislative Assembly.**

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