

The Kanpur and Meerut Universities Act, 1965

Act 13 of 1965

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THE KANPUR AND MEERUT UNIVERSITIES ACT, 1965

[U. P. Act No. XIII of 1965]

[*Authoritative English Text of the Kanpur and Meerut Vishwa-
vidyalaya Adhiniyam, 1965.]AN
ACT*to establish and incorporate a university each at Kanpur and Meerut.*

It is hereby enacted in the Sixteenth Year of the Republic of India as follows :

CHAPTER I
Preliminary

1. (1) This Act may be called the Kanpur and Meerut Universities Act, 1965.

Short title and
commencement.(2) This Act shall come into force on such date as the State Government may, by notification in the *Gazette*, appoint in this behalf and different dates may be appointed in respect of the two Universities and also in respect of different provisions of this Act.

2. In this Act, unless there is anything repugnant to the subject or context—

Definitions.

(a) "affiliated college" means an institution affiliated to the University in accordance with the provisions of this Act and the Statutes of that University;

(b) "area of the University" means the area specified in respect of the University under section 4 ;

(c) "autonomous college" means an affiliated college declared as an autonomous College by the University in accordance with the provisions of section 39 ;

(d) "constituent college" means an institution maintained by the University or by the State Government and named as such by the Statutes of that University ;

(e) "Court" means the court of the University ;

(f) "Executive Council" and "Academic Council" mean respectively the Executive Council and the Academic Council of the University ;

[*For statement of Objects and Reasons, please see *Uttar Pradesh Gazette* (Extraordinary), dated March 29, 1965.]

[Passed in Hindi by the Uttar Pradesh Legislative Council on April 7, 1965 and by the Uttar Pradesh Legislative Assembly on April 27, 1965.]

[Received the Assent of the President on June 25, 1965 under Article 201, of the Constitution of India and was published in the *Uttar Pradesh Gazette* Extraordinary, dated July 1, 1965.]

of that University and in the case of Kanpur University also within the limits of Allahabad or Lucknow University ;

Provided that a college situate within the limits of Lucknow University or Allahabad University shall not be admitted to the privileges of affiliation except with the approval of the Chancellor of the Lucknow University or Allahabad University, as the case may be ;

(iii) to institute degrees, diplomas, and other academic distinctions ;

(iv) to hold examinations for, and to grant and confer degrees, diplomas and other academic distinctions to and on, persons who—

(a) have pursued the approved courses of studies in the University, a constituent College or an affiliated college ; or

(b) have carried on research in the University or in an institution recognised in this behalf by the University or independently under conditions laid down in the Statutes and Ordinances ; or

(c) are teachers in educational institutions or inspecting officers permanently employed in the Department of Education, Uttar Pradesh, and satisfy the conditions laid down in this behalf in the Statutes and Ordinances ; or

(d) are women and have carried on private studies under conditions laid down in the Statutes and Ordinances ; or

(e) are librarians of the libraries of the University or constituent colleges or affiliated colleges and satisfy the conditions laid down in this behalf in the Statutes and Ordinances ;

(v) to confer honorary degrees or other distinctions in the manner and under conditions laid down in the Statutes ;

(vi) to grant such diplomas to, and provide such lectures and instructions for, persons not being students of the University, as the University may determine ;

(vii) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine ;

(viii) to create teaching posts required by the University and to appoint persons to such posts ;

(ix) to prescribe conditions of affiliation of colleges and to satisfy itself by periodical inspection or otherwise that the conditions are satisfied ;

(x) to institute and award fellowships, scholarships, studentships and prizes in accordance with the Statutes and Ordinances ;

(xi) to maintain and recognise hostels for students of the University ;

(xii) to demand and receive such fees and other charges as may be prescribed by the Ordinances ;

(xiii) to supervise and regulate the discipline of the students of the University and affiliated colleges ;

(xiv) to create administrative, ministerial and other necessary posts and to make appointments thereto ; and

(xv) to do all acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

CHAPTER III

Inspection and enquiry

6. (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 institution maintained by the University, or of any affiliated college, including the buildings, laboratories and equipment thereof and also of the examinations, teaching and other work conducted or done by it, or to cause an enquiry to be made in a like manner in respect of any matter connected with the administration and finances of the University, the institution or the affiliated college.

Inspection and enquiry.

(2) The State Government shall, in every case, give notice of its intention to cause an inspection or inquiry to be made, to the University, in the case of the University or an institution maintained by it, and to the University and the Management, in the case of an affiliated college, and the University or the University and the Management, as the case may be, shall be entitled to be represented and heard at such inspection or enquiry.

(3) In case of inspection or enquiry relating to the University or any institution maintained by it, the State Government may communicate to the Vice-Chancellor the result of such inspection or enquiry together with its views thereon and advise regarding the action to be taken, and the Vice-Chancellor shall place the same before the Executive Council.

(4) In case of inspection or enquiry relating to an affiliated college, the State Government may communicate to the Management the result of such inspection or enquiry together with its views thereon and advise regarding the action to be taken.

(5) The Vice-Chancellor or the Management, as the case may be, shall communicate to the State Government the action, if any taken or proposed to be taken upon the result of such inspection or enquiry.

(6) Where the University or the Management, as the case may be, does not take action to the satisfaction of the State Government, the State Government may, after considering any explanation furnished or representation made by the University or the Management, as the case may be, issue such direction as it may think fit and the University or the Management, as the case may be, shall comply with such directions.

convocation of the University. He shall be an ex-officio member and Chairman of the Executive Council and the Academic Council. He shall have the right to speak in and to take part in the meetings of any other Authority or body of the University but shall not merely by virtue of this sub-section be entitled to vote thereat unless he is a member of that Authority or body.

(2) It shall be the duty of the Vice-Chancellor to ensure faithful observance of the provisions of this Act, the Statutes and the Ordinances, and he shall, without prejudice to the powers of the Chancellor under section 8, possess all such powers as may be necessary in this behalf.

(3) The Vice-Chancellor shall have the power to convene meetings of the Court, the Executive Council and the Academic Council:

Provided that he may delegate this power to any other officer of the University.

(4) The Vice-Chancellor shall exercise general control over the affairs of the University and constituent and affiliated colleges and shall be responsible for the due maintenance of discipline in the University.

(5) Where any matter is of urgent nature requiring immediate action and the same cannot be immediately dealt with by the officer or Authority empowered by or under this Act to deal with it, the Vice-Chancellor may take such action as he may deem fit and shall forthwith report the action taken by him to the Chancellor and also to the Executive Council, and such Executive Council may either confirm the action taken by the Vice-Chancellor or rescind the same or modify it in such manner as it may deem fit. In case the action taken by the Vice-Chancellor is rescinded or modified, it shall cease to have effect or take effect in the modified form from the date it is so rescinded or modified :

Provided that—

(a) in every case in which action is taken by the Vice-Chancellor under this sub-section, he shall record his reasons for doing so;

(b) nothing in this sub-section shall be deemed to empower the Vice-Chancellor to incur any expenditure not duly authorised and provided for in the budget;

(c) where the exercise of the power by the Vice-Chancellor involves the appointment of an officer or a teacher in the University, such appointment shall terminate on appointment being made in the prescribed manner or on the expiry of a period of six months from the date of the order of the Vice-Chancellor, whichever is earlier.

(6) Where any action of the Vice-Chancellor under sub-section (5) adversely affects any person in the service of the University, such person may prefer an appeal to the Executive Council within fifteen days from the date on which the action is communicated to him.

(7) The Vice-Chancellor shall exercise such other powers and perform such other functions and duties as may be prescribed by the Statutes and Ordinances.

11. (1) The Treasurer shall be appointed by the Chancellor in the manner hereinafter appearing :—

The Treasurer.

(a) The Executive Council shall, so far as may be, at least thirty days before the date on which a vacancy is due to occur in the office of Treasurer, and also whenever so required by the Chancellor, submit to the Chancellor the name or names of not more than three persons suitable to hold the office of Treasurer.

(b) Where the name or the names proposed in the Executive Council for submission to the Chancellor under clause (a) do not exceed three in number, the Council shall submit all such names, but if the number exceeds three, the Council shall, out of the names proposed, elect three names according to the system of proportional representation by means of a single transferable vote.

(c) Where one name only has been submitted by the Executive Council, the Chancellor shall appoint the person whose name has been so submitted. In other cases, the Chancellor shall appoint one of the persons whose names have been submitted by the Executive Council under clause (b):

Provided that the appointment of the first Treasurer and the subsequent appointment, if any, as may be required to be made till the Executive Council has been constituted, may be made by the Chancellor.

(2) The term of office of Treasurer shall be three years from the date he enters upon that office, but he shall, notwithstanding the expiry of the term, continue to hold office unless a successor has been appointed. He shall receive such remuneration, if any, from the funds of the University as may be prescribed.

(3) The provisions relating to resignation, conditions of service, the filling of temporary vacancies and the arrangements for carrying on the current duties of Treasurer shall be such as may be prescribed.

(4) The Treasurer shall be the ex-officio member of the Executive Council and shall manage the property and investments of the University and advise in regard to its financial policy. He shall be responsible for presentation of the annual estimates (hereinafter called the budget) and statement of accounts.

(5) The Treasurer shall have the duty—

(i) to ensure that no expenditure not authorised in the budget is incurred by the University, otherwise than by way of investment ; and

(ii) to disallow any expenditure which may contravene the terms of any Statute or Ordinance or for which provision is required to be made by Statutes or Ordinances, but has not been so made.

(6) The Treasurer shall exercise such other powers and perform such other functions and duties as may be prescribed by the Statutes and Ordinances.

The Registrar.

12. (1) The Registrar shall be a whole-time officer of the University and shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of the following, namely—

- (i) the Vice-Chancellor;
- (ii) an educationist nominated by the Chancellor; and
- (iii) the Chairman of the Public Service Commission, Uttar Pradesh or a member thereof nominated in this behalf by the Chairman.

(2) The Conditions of service of the Registrar including salary and allowances payable to him shall be such as may be prescribed by the Ordinances.

(3) The Registrar shall be responsible for the due custody of the records and the common Seal of the University. He shall be ex-officio Secretary of the Court, the Executive Council, the Academic Council and the Selection Committees for appointment of teachers, and shall be bound to place before these Authorities all such information as may be necessary for the transaction of their business. He shall perform such other functions and duties as may be prescribed by the Statutes and the Ordinances or required from time to time by the Executive Council or the Vice-Chancellor.

(4) He shall subject to any directions that may be given by the Academic Council, conduct the examinations and make all other arrangements necessary therefor and be responsible for the due execution of all processes connected therewith.

(5) The Registrar shall not be offered, nor shall he accept any remuneration for any work in the University save such as may be provided for by the Statutes or the Ordinances.

Powers and
duties of other
officers.

13. The powers, functions and duties of officers of the University, other than the Chancellor, or Vice-Chancellor, Treasurer and Registrar, shall be such as may be prescribed by the Statutes and the Ordinances.

CHAPTER V

Authorities of the Universities

Authorities of
the University.

14. The following shall be the Authorities of the University :

- (i) the Court ;
 - (ii) the Executive Council;
 - (iii) the Finance Committee ;
 - (iv) the Academic Council ;
 - (v) the Faculties ;
 - (vi) the Selection Committees for appointment of teachers ;
- and
- (vii) such other Authorities as may be declared by the Statutes to be the Authorities of the University.

15. The Court shall consist of the following :—

The Court.

Class I—Ex-officio Members—

- (i) the Chancellor ;
- (ii) the Vice-Chancellor ;
- (iii) the Minister-in-charge of Education Department in the Government of Uttar Pradesh ;
- (iv) the Minister-in-charge of Public Health Department in the Government of Uttar Pradesh ;
- (v) the Treasurer ;
- (vi) the members of the Executive Council ;
- (vii) the Director of Education, Uttar Pradesh ;
- (viii) the Director of Medical and Health Services, Uttar Pradesh ;
- (ix) all Heads of Departments of teaching in the University or in constituent colleges, if any ;
- (x) the principals of all constituent colleges, if any ; and
- (xi) such number of principals of affiliated colleges as may be prescribed.

Class II—Life Members—

(i) such persons as may be appointed by the Chancellor to be Life Members on the ground that they have rendered eminent service to the University or to the cause of learning :

Provided that their number in the Court shall not at any time be more than four ;

(ii) persons who have made donations of not less than rupees twenty thousand for the purposes of the University or any constituent college thereof ;

(iii) persons who have held the office of Vice-Chancellor of that University for one complete term.

Class III—Donors and their Representatives—

Such number of the representatives, not exceeding ten, as may be determined in accordance with the Statutes, of persons each of whom has for the purposes of the University or any constituent college thereof made a donation of a sum not less than rupees five thousand but not exceeding rupees twenty thousand.

Class IV—Persons representing special interests—

Persons not exceeding five, to be nominated by the State Government to represent industries, commerce, agriculture, learned bodies and learned professions within the area of the University.

Class V—Representatives of registered graduates—

Such number of representatives of the registered graduates of the University as may be prescribed.

Class VI—Representatives of the Uttar Pradesh Legislature—

(i) two members of the Uttar Pradesh Legislative Council to be elected by it ;

(ii) five members of the Uttar Pradesh Legislative Assembly to be elected by it.

Class VII—Representatives of teachers, supervisory staff of hostels and Managements—

such numbers of representatives of the teachers of the University, constituent colleges, if any, and affiliated colleges as may be prescribed ;

(ii) such numbers of persons representing supervisory staff of the hostels and extra mural activities as may be prescribed ;

(iii) such number of representatives of the Managements of the affiliated colleges as may be prescribed ;

Class VIII—Chancellor's nominees—

nominees, not exceeding ten, of the Chancellor.

(2) The number of members of each class, their terms and manner of their appointment, election, or nomination shall, save as otherwise provided in this Act, be such as may be prescribed.

(3) The Court may declare vacant the seat of a member other than an ex-officio or life member, who has absented himself from three consecutive meetings of the Court without sufficient cause :

Provided that action under this section shall not be taken without giving a reasonable opportunity to the person concerned to show cause against the action proposed.

Meetings
of the Court.

16. (1) The Court shall, on a date to be fixed by the Vice-Chancellor, meet once in a year at a meeting to be called the Annual Meeting of the Court.

(2) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than thirty-five members of the Court, convene a special meeting of the Court.

Powers
and duties
of the
Court.

17. Subject to the provisions of this Act, the Court shall have the power to review such acts of the Executive Council or Academic Council as are found by it to be not in accordance with this Act, the Statutes or the Ordinances and shall exercise all the powers of the University not otherwise provided for in this Act or Statutes. In particular, it shall exercise and perform the following powers and functions, namely—

(a) making of Statutes and amending and repealing the same ;

(b) considering and cancelling Ordinances ; and

(c) considering and passing resolutions on the annual report, the annual accounts, the budget and any matter of general policy relating to the University education and administration.

Executive
Council.

18. (1) The Executive Council shall be the executive body of University and shall consist of—

(i) the Vice-Chancellor ;

(ii) the Treasurer ;

(iii) the Deans of all Faculties of the University ;

(iv) the Dean of Students' Welfare, if any ;

(v) three Principals of affiliated colleges to be selected in the manner prescribed ;

(vi) five members of the Court, not being persons mentioned in clauses (i) to (v) or teachers of the University or any constituent or affiliated college, elected by the Court in accordance with the system of proportional representation by means of single transferable vote ;

(vii) one person not falling under clauses (i) to (vi) elected by the Academic Council in the manner prescribed ; and

(viii) five persons nominated by the Chancellor.

(2) The Statutes relating to the selection, nomination, election and appointment of the members of the Executive Council shall contain suitable provision so as to secure that not more than one person connected with any one affiliated college as Principal or teacher or employee or as a member of the Management thereof shall be member of the Executive Council.

(3) The term of office of a member other than an ex-officio member shall be three years from the date of his appointment.

19. (1) Subject to the provisions of this Act, the Executive Council shall have the following powers and functions, namely,—

**Powers of the
Executive Council.**

(a) to control and administer the property and funds of the University ;

(b) to acquire or transfer, subject to the provisions of sub-section (2), any movable or immovable property on behalf of the University ;

(c) to administer any fund placed at the disposal of the University for a specific purpose ;

(d) to prepare the budget of the University ;

(e) to award fellowships, scholarships, bursaries, medals and other rewards in accordance with the Statutes and Ordinances relating thereto ;

(f) to appoint the officers, teachers and other servants of the University, to define their duties and the conditions of their service and to provide for the filling up of temporary or casual vacancies in their posts ;

(g) to prescribe the courses of study for the examinations for award of certificates and degrees by the University ;

(h) to appoint examiners and to direct the holding of examinations and publication of results ;

(i) subject to the previous sanction of the Chancellor, to grant affiliation to a college for teaching for specified degrees and to withdraw such affiliation ;

(j) to arrange for and direct the inspection of affiliated colleges ;

(k) to direct the form and use of the Common Seal of the University ;

(l) to regulate and determine all matters concerning the University in accordance with this Act, the Statutes and the Ordinances ; and

(m) to exercise and perform such other powers and functions as may be specified by any other provision of this Act or the Statutes.

(2) No immovable property of the University shall, except with the prior sanction of the State Government, be transferred by the Executive Council by way of mortgage, sale, exchange, gift or otherwise, nor shall any money be borrowed or advance taken on the security thereof :

Provided that a lease granted in normal course for the purposes of the University shall not be deemed to be a transfer within the meaning of this sub-section.

(3) The Executive Council shall not exceed the limits of recurring and non-recurring expenditure to be incurred by it in any financial year as determined by the Finance Committee.

(4) The Executive Council shall give due consideration to the resolutions of the Court and take such action thereon as it deems fit and report it to the Court. Where, in any case, the Executive Council is unable to take action in accordance with any resolution of the Court, it shall inform the Court of its reasons therefor.

(5) The Executive Council may, subject to such conditions as may be prescribed, delegate any of its powers to an officer or Authority of the University.

The Finance
Committee.

20. (1) The Finance Committee shall consist of—

(i) the Vice-Chancellor ;

(ii) the Treasurer ;

(iii) three members of the Court, not being members of the Executive Council, to be elected in accordance with the system of proportional representation by means of single transferable vote, of whom two shall be persons not in the service of the University, a constituent college, an affiliated college or a hostel ;

(iv) two persons nominated by the State Government.

(2) The Vice-Chancellor shall be the Chairman and the Registrar shall be the Secretary of the Finance Committee.

(3) The Finance Committee shall, having regard to the income and resources of the University, fix limits for the total recurring and the total non-recurring expenditure for a financial year, and shall perform such other functions and duties as may be prescribed by this Act or the Statutes.

(4) The Finance Committee may, for any special reason, revise during the financial year, the limits of expenditure fixed by it under sub-section (3).

Academic
Council.

21. (1) The Academic Council shall be the academic body of the University and shall, subject to the provisions of this Act, the Statutes and the Ordinances, have the control and general regulation, and be responsible for the maintenance, of standards

of instruction, education, examination and research in the University, and shall exercise such other powers and perform such other functions and duties as may be conferred or imposed upon it by the Statutes. It shall have the right to advise the Executive Council on all academic matters.

(2) The constitution of the Academic Council and the term of office of its members shall be such as may be prescribed.

22. (1) The University shall have such Faculties as may be prescribed.

The Faculties.

(2) Each Faculty shall comprise such Departments of teaching as may be prescribed. Subjects of study shall be assigned to various Departments in accordance with the Ordinances.

(3) There shall be a Board of each Faculty, the constitution and powers of which shall be such as may be prescribed.

(4) There shall be a Dean of each Faculty who shall be chosen in such manner and for such period as may be prescribed.

(5) The Dean shall be the Chairman of the Board of the Faculty and be responsible for the due observance of the Statutes, Ordinances and Regulations relating to the Faculty. He shall be further responsible for the organization and conduct of the teaching and research work of the Departments comprised in the Faculty.

(6) There shall be established Boards of studies each in respect of one or more subjects of study. The constitution of the Boards shall be prescribed by the Ordinances.

23. (1) There shall be Selection Committee for appointment of teachers of the University in each subject of study.

Selection Committees.

(2) The constitution, powers and functions of the Selection Committees and the procedure to be followed in making appointments shall be such as may be prescribed.

24. The constitution, powers and duties of other Authorities shall be such as may be prescribed.

Other Authorities.

CHAPTER VI

Constitution of Boards and appointment of teachers and officers

25. (1) The University shall have a Board of Co-ordination, a Board of Students' Welfare and such other Boards as may be prescribed.

Boards.

(2) The constitution, powers and duties of the Boards shall be such as may be prescribed.

26. (1) Subject to the provisions of this Act, teachers of the University shall, except as provided in sub-section (3), be appointed by the Executive Council on the advice of the Selection Committee concerned. Teachers of the affiliated colleges shall, subject to the provisions of sub-section (4), be appointed by the Management in the manner prescribed.

Appointment of teachers.

(2) Every teacher appointed under sub-section (1) shall, in the first instance, be on probation for such period as may be prescribed and he shall not be confirmed—

(a) if he is a teacher of the University, except by the order of the Executive Council after considering the reports of the Vice-Chancellor and the Head of the Department, unless he himself is the Head of the Department, and the Dean concerned ; and

(b) if he is a teacher of an affiliated college, except by the order of the Management after considering the report of the principal and the senior-most teacher of the subject :

Provided that no report under this clause shall be necessary in the case of confirmation of the principal, and the report of the principal alone shall be necessary in the case of confirmation of the senior-most teacher.

(3) An officiating appointment in a vacancy caused by the grant of leave to an incumbent for a period not exceeding ten months may be made by the Executive Council without referring to the Selection Committee concerned if the vacancy is to last for a period not exceeding six months, and after referring to the Selection Committee concerned if the vacancy is to last for more than six months.

(4) Every substantive or temporary or officiating appointment lasting for six months or more of a teacher in an affiliated college, not being maintained exclusively by the State Government shall be reported by the Management to the Vice-Chancellor within fifteen days from the date of such appointment together with all the applications and connected papers. The continuance of the appointment shall be subject to the approval of the Vice-Chancellor who may either approve the appointment, or with the concurrence of the Selection Committee of the University in the subject concerned, disapprove of the same, in which case it shall be terminated as soon as may be but not later than the date of expiry of the period of probation.

Conditions of
service of Offi-
cers and Teachers.

27. (1) Subject to the provisions of this Act, the Statutes and the Ordinances, every salaried officer or teacher of the University shall be appointed under a written contract which shall be lodged with the University and a copy thereof shall be furnished to the officer or teacher concerned.

(2) Any dispute arising out of a contract referred to in sub-section (1) shall be referred to a Tribunal of Arbitration consisting of one member nominated by the Executive Council, one member nominated by the officer or teacher concerned, and an umpire appointed by the Chancellor, and the decision of the Tribunal shall be final. All the provisions of the Arbitration Act, 1940, shall, subject to the provisions herein contained, apply to such reference.

(3) The University shall, for the benefit of its officers, teachers and other employees, constitute in such manner and subject to such conditions as may be prescribed, such pension, gratuity, insurance and provident funds as it may deem fit.

28. (1) Every teacher in an affiliated college, not being a college maintained exclusively by the Government, shall be appointed under a written contract which shall contain such terms and conditions as may be prescribed. The written contract shall be lodged with the University and a copy thereof shall be furnished each to the Management and the teacher concerned.

Conditions of service of teachers of affiliated colleges.

(2) Any dispute arising out of a contract referred to in subsection (1) between an affiliated college and any teacher thereof shall be referred to a Tribunal of Arbitration consisting of one member nominated by the Management, one member nominated by the teacher concerned and an umpire appointed by the Vice-Chancellor. The decision of the Tribunal shall be final. All the provisions of the Arbitration Act, 1940, shall, subject to the provisions herein contained, apply to such reference.

(3) Every decision by the Management of an affiliated college, other than a college maintained exclusively by the Government, to dismiss or remove from service a teacher, shall be reported forthwith to the Vice-Chancellor and, subject to the provisions contained in the Statutes, shall not take effect unless it has been approved by the Vice-Chancellor.

29. At any time after the passing of this Act and until such time as the relevant Authorities of the University are duly constituted, any officer of the University other than the Treasurer may be appointed by the Vice-Chancellor with the previous sanction of the Chancellor.

Certain other provisions.

CHAPTER VII

Statutes, Ordinances and Regulations

30. Subject to the provisions of this Act, the Statutes may provide for any matter relating to the University and shall, in particular, provide for the following :—

Statutes.

(a) the constitution, powers and duties of the Authorities of the University ;

(b) the selection, election, appointment and the term of office of members of the Authorities of the University and filling of vacancies and all other matters relating thereto ;

(c) the terms and conditions of appointment and the powers and duties of the officers of the University ;

(d) the constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of officers, teachers and other employees of the University ;

(e) the classification and manner of appointment of teachers ;

(f) the institution of degrees and diplomas ;

(g) conferment of honorary degrees ;

(h) withdrawal of degrees, diplomas, certificates and other academic distinctions ;

(i) establishment, amalgamation, sub-division and abolition of Faculties ;

(j) establishment of Departments of teaching in the Faculties ;

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of
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of
1940

(k) establishment and abolition of hostels maintained by the University ;

(l) conditions under which colleges and other institutions may be affiliated to the University and the conditions under which the affiliation may be withdrawn ;

(m) inspection of affiliated colleges ;

(n) maintenance of a register of registered graduates, and the qualifications, conditions and manner of registration ;

(o) the holding of convocation ;

(p) institution of fellowships, scholarships, medals and prizes ; and

(q) all other matters which are required by this Act to be provided for by the Statutes.

The Statutes
how made.

31. (1) The first Statutes shall be made by the State Government and a copy thereof shall be laid before each House of the State Legislature for a total period of fourteen days extending in its one session or more than one successive sessions and they shall be subject to such alterations and annulments as the two Houses of the Legislature may agree to make ; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

(2) The Court may, from time to time, make additional Statutes and may amend or repeal a Statute in the manner provided in this section.

(3) The Executive Council may propose to the Court the draft of any Statute to be passed by the Court, and such draft shall be considered by the Court at its next general meeting :

Provided that the Executive Council shall not propose the draft of any Statute or of any amendment of any Statute affecting the Status, powers or constitution of any existing Authority of the University until such Authority has been given an opportunity to express its opinion upon the proposal and the opinion so expressed shall be considered by the Court.

(4) The Court may approve any such draft as is referred to in sub-section (3) and pass the Statute or reject it or return it to the Executive Council for reconsideration, either in whole or in part, together with any amendment which it may suggest.

(5) Any member of the Court may propose to the Court the draft of any Statute or any amendment of any Statute and the Court may either accept or reject the proposal. If the Court does not accept the draft for consideration to the Executive Council, the member who proposed the draft shall either report to the Court that he has withdrawn the draft or submit the draft to the Executive Council. If the Executive Council may approve and the Court may either accept or reject the proposal. If the Court does not accept the draft for consideration to the Executive Council, the member who proposed the draft shall either report to the Court that he has withdrawn the draft or submit the draft to the Executive Council. If the Executive Council may approve and the Court may either accept or reject the proposal.

(6) A Statute or any amendment of any Statute shall not take effect unless it is approved by the Executive Council. The Executive Council may either approve or disapprove the draft for further consideration by the Court.

32. (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for any matter permitted by the Act or the Statutes to be so provided and for any other matter, which the Executive Council considers it advisable to provide for by Ordinances.

Ordinances.

(2) Without prejudice to the generality of the provision contained in sub-section (1), the Ordinances may provide for all or any of the following matters, namely—

(a) the admission of students to the University and their enrolment and continuance as such;

(b) the courses of study to be laid down for all degrees and diplomas of the University ;

(c) the conditions under which students shall be admitted to the Degree, Diploma or other courses and to the examinations of the University, and shall be eligible for the award of degrees and diplomas ;

(d) the conditions of residence of the students of the University and the management of the hostels maintained by the University ;

(e) the recognition and management of hostels not maintained by the University ;

(f) the number, qualifications, emoluments, and other conditions of service, including the age of retirement, of the teachers and other salaried officers of the University, and the preparation and maintenance of record of their service and activities ;

(g) the fees which may be charged by the University for any purpose ;

(h) the conditions subject to which persons may be recognised as qualified to give instruction in hostels ;

(i) the conditions and mode of appointment and the duties of examining bodies, examiners and moderators ;

(j) the conduct of examinations ;

(k) the remuneration and the allowances including travelling allowance and daily allowance to be paid to persons employed in the business of the University ;

(l) the conditions of award of fellowships, scholarships, studentship, bursaries, medals and prizes ;

(m) all other matters which by this Act or the Statutes are required to be or may be provided for by

33. (1) Save as otherwise provided in this section shall be made by the Executive Council and shall from such date as the Executive Council may d

Provided that no Ordinance shall be made—

(a) affecting the income or expenditure of the unless a draft of such Ordinance has been submitted to the State Government and approved by it, or

(b) laying down conditions for admission to the various courses of studies in the University or affecting in any other way the admission of students, unless a draft of the same has been proposed by the Academic Council ; or

(c) affecting any course of study, the conduct or standard of any examination, or the condition and mode of appointment and duties of examiners, unless a draft of such Ordinance has been proposed by the Academic Council, and the Academic Council shall not propose any such draft except on request of the Board of Faculties or Faculty concerned ; or

(d) affecting the condition of residence of students except after compliance with such conditions, if any, as may be prescribed.

(2) The Executive Council shall not have power to amend any draft proposed by the Academic Council under sub-section (1) but may reject it or return it to the Academic Council for re-consideration, either in whole or in part, together with any amendment which the Executive Council may suggest.

(3) A copy of the Ordinance made by the Executive Council shall be submitted forthwith each to the Chancellor and the Court and it shall be considered by the Court at its next meeting. The Court may agree to the Ordinance, or it may, by a resolution passed by a majority of not less than two-thirds of the members present at such meeting, cancel the Ordinance and in that case the Ordinance shall, from the date of such resolution, be void. The Court shall forthwith inform the Chancellor of its agreeing to, or as the case may be of cancelling, the Ordinance.

(4) The Chancellor may, at any time, after an Ordinance has been considered and agreed to by the Court, either agree to it or cancel the same, and in the latter case, the Ordinance shall, from the date of receipt by the Executive Council of an intimation of such cancellation, become void.

(5) The Chancellor may direct that the operation of any Ordinance shall be suspended until it has been agreed to or cancelled by him under sub-section (4). An order of suspension under this sub-section shall cease to have effect on the expiration of fifteen days from the date of receipt by the Chancellor of an intimation of the Court having agreed to the Ordinance.

(6) Where the draft of an Ordinance proposed by the Academic Council has been rejected by the Executive Council, the Academic Council may appeal to the Court which, after obtaining the views of the Executive Council may, if it approves the draft, make the Ordinance and submit it to the Chancellor. The Ordinance so made shall have effect from such date as the Court may direct. The Chancellor may either agree to, or cancel, the Ordinance, and in the latter case the Ordinance shall, from the date of receipt by the Executive Council of an intimation of such cancellation, become void.

34. (1) An Authority or a Board of the University may make Regulations consistent with this Act, the Statutes and the Ordinances—

Regulations.

(a) laying down the procedure to be followed at its meetings and the number of members required to form quorum;

(b) providing for all matters which by this Act, the Statutes or the Ordinances are to be provided for by the Regulations; and

(c) providing for any other matters solely concerning such Authority or Board and not provided for by this Act; the Statutes and the Ordinances.

(2) The Regulations made by any Authority or Board of the University shall provide for the giving of notice to its members of the dates of meetings and the business to be transacted thereat and for the keeping of record of the proceedings of such meetings.

(3) The Executive Council may direct any Authority or Board of the University, other than the Court, to cancel or amend, in such form as may be specified in the direction, any Regulation made by such Authority or Board and such Authority or Board shall cancel or amend the Regulation accordingly :

Provided that an Authority or Board of the University if dissatisfied with any such direction may appeal to the Chancellor who, after obtaining the views of the Executive Council, may pass such orders as he thinks fit.

CHAPTER VIII Admissions and Examinations

35. (1) Students shall not be eligible for admission to the courses of study for a degree unless they have passed the Intermediate examination of the Board of High School and Intermediate Education, Uttar Pradesh, or of any University or Board incorporated by any law for the time being in force, or an examination recognised by the University as equivalent thereto and possess such further qualifications, if any, as may be prescribed by the Ordinances.

Admission of students.

(2) The University shall not, save with the previous sanction of the Chancellor recognise, for admission to a course of study for a degree, as equivalent to its own degrees, any degree conferred by any other University, or as equivalent to the Intermediate examination of the Board of High School and Intermediate Education, Uttar Pradesh, any examination conducted by any other authority.

36. (1) Every student of the University shall reside in a hostel or under such conditions as may be prescribed by the Statutes and Ordinances.

Residence of students.

(2) The Warden and other staff of the hostels shall be appointed in the manner prescribed by the Ordinances.

(3) The Executive Council may suspend or withdraw the recognition of a hostel which is not conducted in accordance with the prescribed conditions :

Provided that before taking such action a reasonable opportunity shall be afforded to the person in charge of the management of the hostel of representing against such action.

or in violation of any provision of this Act, the Statutes or the Ordinances, to reimburse the amount so spent or authorised to be expended and the State Government may take all such steps in this regard as may be deemed necessary :

Provided that the State Government shall, before requiring any person to reimburse any such amount, give him a reasonable opportunity of making a representation.

(5) The Executive Council shall also prepare, before such date as may be prescribed, the budget for the ensuing year.

(6) Every item of new expenditure above such amount as may be prescribed which is proposed to be included in the budget shall be referred by the Executive Council to the Finance Committee for its recommendations thereon.

(7) The Executive Council shall, after considering the recommendations, if any, of the Finance Committee, submit the annual accounts and the budget as finally approved by it to the Court along with such recommendations.

(8) The annual accounts and the budget shall be considered by the Court at its Annual Meeting and the Court may pass a resolution with reference thereto and communicate the same to the Executive Council :

Provided that where there has been a disagreement between the Executive Council and the Finance Committee upon any item of expenditure referred to it in sub-section (6), the decision of the Court thereon shall be final.

(9) Except in so far as expenditure is incurred out of funds mentioned in clause (c) of sub-section (1) of section 19, the Vice-Chancellor or the Executive Council shall not incur any expenditure not sanctioned in the budget.

CHAPTER XI

Miscellaneous

Manner of
appointment of
Officers and
members of
Authorities.

44. (1) Except as otherwise expressly provided in this Act, officers or members of any Authority of the University shall be chosen in such manner as may be prescribed.

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

Filling of
casual vacancies.

45. (1) Any casual vacancy among the members, other than ex-officio members, of any Authority or body of the University shall, as soon as conveniently may be, be filled in the same manner in which the member whose vacancy is to be filled up, was chosen, and the person filling the casual 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.

126431

THE UTTAR PRADESH UNIVERSITIES (AMENDMENT ACT, 1969

[President's Act no. 1 of 1969]

(Received the assent of the President on January 11, 1969 and was published in both the Government of India Gazette Extraordinary and the Uttar Pradesh Government Gazette Extraordinary, dated January 13, 1969.)

Enacted by the President in the Nineteenth Year of the
Republic of India

AN
ACT

further to amend the Lucknow University Act, 1920; the Allahabad University Act, 1921; the Agra University Act, 1926; the Gorakhpur University Act, 1956; the Varanaseya Sanskrit Vishvavidyalaya Act, 1956; and the Kanpur and Meerut Universities Act, 1965.

7 of 1968

In exercise of the powers conferred by section 3 of the Uttar Pradesh State Legislature (Delegation of Powers) Act, 1968, the President is pleased to enact as follows:—

1. This Act may be called the Uttar Pradesh Universities (Amendment) Act, 1969.

2. In section 13 of the Lucknow University Act, 1920, for sub-section (1), the following sub-section shall be substituted namely:—

“(1) The Registrar shall be a whole time officer of the University and shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of the following, namely:—

(i) the Vice-Chancellor, who shall be its Chairman;

(ii) a serving Vice-Chancellor of another University, nominated by the Chancellor; and

(iii) one other person nominated by the Chancellor.”

3. In section 14 of the Allahabad University Act, 1921, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Registrar shall be a whole-time officer of the University and shall be appointed by the

(for Reasons for the enactment, please see the Government of India Gazette Extraordinary and the Uttar Pradesh Gazette Extraordinary, dated January 13, 1969.)

Short title

Amendment
of section 13
of U.P.
Act V of
1920.

Amendment
of section 14
of U.P. Act
III of 1921.

Executive Council on the recommendation of a Selection Committee consisting of the following, namely :—

- (i) The Vice-Chancellor, who shall be its Chairman;
- (ii) a serving Vice-Chancellor of another University, nominated by the Chancellor; and
- (iii) one other person nominated by the Chancellor."

Amendment of section 11 of U.P. Act VIII of 1926.

4. In section 11 of the Agra University Act, 1926, for sub-section (2), the following sub-sections shall be *substituted*, namely:—

"(2) The Registrar shall be a whole-time officer of the University and shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of the following, namely:—

- (i) the Vice-Chancellor, who shall be its Chairman;
- (ii) a serving Vice-Chancellor of another University, nominated by the Chancellor; and
- (iii) one other person nominated by the Chancellor.

(2-A) The emoluments of the Registrar shall be prescribed by the ordinances."

Amendment of section 5 of U.P. Act XX of 1956.

5. In section 5 of the Gorakhpur University Act, 1956 (hereinafter referred to as the Gorakhpur Act), the proviso to sub-section (2), and sub-section (3) shall be *omitted*.

Amendment of section 8.

6. In section 8 of the Gorakhpur Act, in clause (2), for the words, figures and brackets "sub-section (2) and (3)" the word, figure and brackets "sub-section (2)" shall be *substituted*.

Amendment of section 16.

7. In section 16 of the Gorakhpur Act, for sub-section (1), the following sub-section shall be *substituted*, namely:—

"(1) The Registrar shall be a whole time officer of the University and shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of the following namely :—

- (i) the Vice-Chancellor, who shall be its Chairman;
- (ii) a serving Vice-Chancellor of another University, nominated by the Chancellor; and
- (iii) one other person nominated by the Chancellor."

8. In section 15 of the Varanaseya Sanskrit Vishva-vidyalaya Act, 1956, for sub-section (1), the following sub-section shall be *substituted* namely:—

Amendment
of section 15
of U.P. Act
XXVIII of
1956.

“(1) The Prastota shall be a whole time officer of the Vishvavidyalaya and shall be appointed by the Karya Karini Parishad on the recommendation of a Nirdharana Samiti consisting of the following namely:—

- (i) the Up-Kulapati, who shall be its Chairman;
- (ii) a serving Vice-Chancellor of another University, nominated by the Kulapati; and
- (iii) one other person nominated by the Kulapati.”

9. In section 12 of the Kanpur and Meerut Universities Act, 1965, for sub-section (1), the following sub-section shall be *substituted* namely:—

Amendment
of section 12
of U.P. Act
XIII of
1965.

“(1) The Registrar shall be a whole time officer of the University and shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of the following, namely:—

- (i) the Vice-Chancellor, who shall be its Chairman;
- (ii) a serving Vice-Chancellor of another University, nominated by the Chancellor; and
- (iii) one other person nominated by the Chancellor.”

12691

THE UTTAR PRADESH UNIVERSITIES (AMENDMENT) ACT, 1970

(U. P. ACT NO. 11 OF 1970) ✓

[* Authoritative English Text of the Uttar Pradesh Vishwavidyalaya (Sanshodhan) Adhiniyam, 1970.]

AN
ACT

further to amend the Lucknow University Act, 1920; the Allahabad University Act, 1921; the Agra University Act, 1926; the Gorakhpur University Act, 1956; the Varanaseya Sanskrit Vishwavidyalaya Act, 1956; and the Kanpur and Meerut Universities Act, 1965.

IT IS HEREBY enacted in the Twenty-first Year of the Republic of India as follows :—

1. This Act may be called the Uttar Pradesh Universities (Amendment) Act, 1970. Short title.
2. In section 13 of the Lucknow University Act, 1920, for sub-section (1), the following sub-section shall be substituted, namely :— Amendment of section 13 of U. P. Act V of 1920.
- “(1) The Registrar shall be a whole-time officer of the University and shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of the following, namely :—
- (i) the Vice-Chancellor, who shall be its Chairman ;
 - (ii) a serving Vice-Chancellor of another University, nominated by the Chancellor ; and
 - (iii) one other person nominated by the Chancellor.”
3. In section 14 of the Allahabad University Act, 1921, for sub-section (1), the following sub-section shall be substituted, namely :— Amendment of section 14 of U. P. Act III of 1921.
- “(1) The Registrar shall be a whole-time officer of the University and shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of the following, namely :—
- (i) the Vice-Chancellor, who shall be its Chairman ;
 - (ii) a serving Vice-Chancellor of another University, nominated by the Chancellor ; and
 - (iii) one other person nominated by the Chancellor.”
4. In section 11 of the Agra University Act, 1926, for sub-section (2), the following sub-sections shall be substituted, namely :— Amendment of section 11 of U. P. Act VIII of 1926.
- “(2) The Registrar shall be a whole-time officer of the University and shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of the following, namely—
- (i) the Vice-Chancellor, who shall be its Chairman ;
 - (ii) a serving Vice-Chancellor of another University, nominated by the Chancellor ; and
 - (iii) one other person nominated by the Chancellor.
- (2-A) The emoluments of the Registrar shall be prescribed by the Ordinances.”
5. In section 5 of the Gorakhpur University Act, 1956 (hereinafter referred to as the Gorakhpur Act) the proviso to sub-section (2), and sub-section (3) shall be omitted. Amendment of section 5 of U. P. Act XX of 1956.
6. In section 8 of the Gorakhpur Act, in clause (2) for the words, figures and brackets “sub-sections (2) and (3)” the word, figure and brackets “sub-section (2)” shall be substituted. Amendment of section 8.

*(For Statement of Objects and Reasons, please see Uttar Pradesh Gazette (Extraordinary), dated July 23, 1969).

(Passed in Hindi by the Uttar Pradesh Legislative Council on March 10, 1970 and by the Uttar Pradesh Legislative Assembly on March 13, 1970.)

(Received the Assent of the Governor on March 31, 1970 under Article 200, of the Constitution of India, and was published in the Uttar Pradesh Gazette ((Extraordinary), dated April 8, 1970).

Amendment of section 16. 7. In section 16 of the Gorakhpur Act, for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) The Registrar shall be a whole-time officer of the University and shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of the following namely :—

- (i) the Vice-Chancellor, who shall be its Chairman ;
- (ii) a serving Vice-Chancellor of another University, nominated by the Chancellor ; and
- (iii) one other person nominated by the Chancellor.”

Amendment of section 15 of U. P. Act XXVIII of 1956. 8. In section 15 of the Varanaseya Sanskrit Vishwavidyalaya Act, 1956, for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) The Prastota shall be a whole-time officer of the Vishwavidyalaya and shall be appointed by the Karya Karini Parishad on the recommendation of a Nirdharana Samiti consisting of the following, namely :—

- (i) the Up-Kulapati, who shall be its Chairman ;
- (ii) a serving Vice-Chancellor of another University, nominated by the Kulapati ; and
- (iii) one other person nominated by the Kulapati.”

Amendment of sections 4 and 12 of U. P. Act XIII of 1965. 9. In the Kanpur and Meerut Universities Act, 1965, (i) in section after sub-section (5), the following sub-sections shall be inserted, namely :—

“(6) Notwithstanding anything contained in sub-sections (1) to (5) or in any notification issued under sub-section (3), or in the Agra University Act, 1926, the Nehru Institute of Ophthalmology and Research situated at Sitapur, shall be deemed to continue and always to have continued to be affiliated to the Agra University, under the Agra University Act, 1926, and accordingly, anything done or any action taken or order made, including any examination conducted, any fee charged or any diploma conferred by the Agra University in relation to the said Institute or to persons enrolled in the said Institute before the commencement of the Kanpur and Meerut Universities (Amendment) Act, 1965, shall be deemed to be validly done, taken, made, conducted, charged or conferred, as if the provisions of this sub-section were in force at material times.

(7) The said Institute shall, from such date as the State Government may, by notification in the *Gazette*, appoint in that behalf, cease to be affiliated to the Agra University under sub-section (6) and stand affiliated to the Kanpur University under this Act.” ; and

(ii) in section 12, for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) The Registrar shall be a whole-time officer of the University and shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of the following, namely :—

- (i) the Vice-Chancellor, who shall be its Chairman ;
- (ii) a serving Vice-Chancellor of another University nominated by the Chancellor ; and
- (iii) one other person nominated by the Chancellor.”

Repeal of President's Act No. 20 of 1968 and Act No. I of 1969. 10. The Kanpur and Meerut Universities (Amendment) Act, 1968, and the Uttar Pradesh Universities (Amendment) Act, 1969, are hereby repealed.

L.A. 15/71/19
Cob. 2

विश्वविद्यालय

(राजकीय प्रकाशन)

उत्तर प्रदेश, लखनऊ

उत्तर प्रदेश विश्वविद्यालय (संशोधन) अधिनियम, 1971

(उत्तर प्रदेश अधिनियम संख्या 19, 1971)

[उत्तर प्रदेश विधान सभा ने दिनांक 11-8-1971 ई० तथा उत्तर प्रदेश विधान परिषद् ने दिनांक 16-8-1971 ई० की बैठक में स्वीकृत किया।]

[‘भारत का संविधान’ के अनुच्छेद 200 के अन्तर्गत राज्यपाल ने दिनांक 21-8-1971 ई० को स्वीकृति प्रदान की तथा उत्तर प्रदेशीय सरकारी असाधारण गजट में दिनांक 22-8-1971 ई० को प्रकाशित हुआ।]

लखनऊ विश्वविद्यालय अधिनियम, 1920,
इलाहाबाद विश्वविद्यालय अधिनियम, 1921,
आगरा विश्वविद्यालय अधिनियम, 1926,
गोरखपुर विश्वविद्यालय अधिनियम, 1956,
बाराणसेय संस्कृत विश्वविद्यालय अधिनियम, 1956, और
कानपुर तथा मेरठ विश्वविद्यालय अधिनियम, 1965
का अग्रतर संशोधन करने के लिए,

अधिनियम

भारत गणराज्य के बाईसवें वर्ष में निम्नलिखित अधिनियम बनाया जाता है :

अध्याय 1

प्रारम्भिक

1—इह अधिनियम उत्तर प्रदेश विश्वविद्यालय (संशोधन) अधिनियम, 1971 कहलावेगा।

संक्षिप्त नाम

अध्याय 2

लखनऊ विश्वविद्यालय अधिनियम, 1920 का संशोधन

2—लखनऊ विश्वविद्यालय अधिनियम, 1920 की धारा 10 में, उपधारा (4) में,—
शब्द (2) के पश्चात् निम्नलिखित शब्द बढ़ा दिया जाय, अर्थात् :—

“(2-क) जहां कुलपति, समिति द्वारा सिफारिश किए गए व्यक्तियों में से किसी व्यक्ति को उप कुलपति नियुक्त किए जाने के लिए उपयुक्त नहीं समझते हैं अथवा

संयुक्त प्रांत अधि-
नियम संख्या 5,
1920 की धारा
10 का संशोधन[उद्देश्य और कारणों के विवरण के लिए कृपया दिनांक 23-7-1971 ई० का सरकारी
असाधारण गजट देखिये।]

Price 15 Paise.

सिफारिश किये गए व्यक्तियों में से एक या एकाधिक व्यक्ति नियुक्ति के लिये उपलब्ध न हों और कुलपति का चयनाधिकार तीन से कम व्यक्तियों तक सीमित हो जाय, तो वे समिति से नई सिफारिश करने के लिए कह सकते हैं।”

अध्याय 3

इलाहाबाद विश्वविद्यालय अधिनियम, 1921 का संशोधन

संयुक्त प्रान्त
अधिनियम संख्या
3, 1921 की
धारा 11 का
संशोधन

3—इलाहाबाद विश्वविद्यालय अधिनियम, 1921 की धारा 11 में, उपधारा (4) में—
खण्ड (2) के पश्चात् निम्नलिखित खण्ड बढ़ा दिया जाय, अर्थात् :—

“(2-क) जहां कुलपति, समिति द्वारा सिफारिश किए गए व्यक्तियों में से किसी व्यक्ति को उप-कुलपति नियुक्त किए जाने के लिए उपयुक्त नहीं समझते हैं अथवा सिफारिश किए गए व्यक्तियों में से एक या एकाधिक व्यक्ति नियुक्ति के लिए उपलब्ध न हों और कुलपति का चयनाधिकार तीन से कम व्यक्तियों तक सीमित हो जाय तो वे समिति से नई सिफारिश करने के लिए कह सकते हैं।”

अध्याय 4

आगरा विश्वविद्यालय अधिनियम, 1926 का संशोधन

संयुक्त प्रान्त
अधिनियम संख्या
8, 1926 की
धारा 9 का
संशोधन

4—आगरा विश्वविद्यालय अधिनियम, 1926 (जिसे आगे इस अध्याय में मूल अधिनियम कहा गया है) की धारा 9 में, उपधारा (4) में,—
खण्ड (2) के पश्चात् निम्नलिखित खण्ड बढ़ा दिया जाय, अर्थात् :—

“(2-क) जहां कुलपति, समिति द्वारा सिफारिश किए गए व्यक्तियों में से किसी व्यक्ति को उप-कुलपति नियुक्त किए जाने के लिए उपयुक्त नहीं समझते हैं अथवा सिफारिश किए गए व्यक्तियों में से एक या एकाधिक व्यक्ति नियुक्ति के लिए उपलब्ध न हों और कुलपति का चयनाधिकार तीन से कम व्यक्तियों तक सीमित हो जाय, तो वे समिति से नई सिफारिश करने के लिए कह सकते हैं।”

धारा 14 का
संशोधन

5—मूल अधिनियम की धारा 14 में, उपधारा (2) में, शब्द “पांच” के स्थान पर शब्द “तीन” रख दिया जाय।

धारा 17 का
संशोधन

6—मूल अधिनियम की धारा 17 में, उपधारा (4) में, शब्द “पांच” के स्थान पर शब्द “तीन” रख दिया जाय।

7—इस अधिनियम द्वारा मूल अधिनियम की धारा 14 और 17 में किए गए संशोधन आगरा विश्वविद्यालय की नियामक सभा (सिनेट) के और कार्यकारिणी-परिषद् के ऐसे सदस्यों के, जो इस अधिनियम के प्रारंभ होने के ठीक पूर्व पद धारण किए हों, संबंध में उसी प्रकार लागू होंगे जिस प्रकार वे उक्त अधिनियम के प्रारंभ होने के पश्चात् पद धारण करने वाले विश्वविद्यालय के उक्त प्राधिकारियों के सदस्यों के संबंध में लागू होंगे।

अध्याय 5

गोरखपुर विश्वविद्यालय अधिनियम, 1956 का संशोधन

उत्तर प्रदेश अधि-
नियम संख्या 20,
1956 की धारा
13 का संशोधन

8—गोरखपुर विश्वविद्यालय अधिनियम, 1956 की धारा 13 में, उपधारा (4) में—
खण्ड (2) के पश्चात् निम्नलिखित खण्ड बढ़ा दिया जाय, अर्थात् :—

“(2-क) जहां कुलपति, समिति द्वारा सिफारिश किए गए व्यक्तियों में से किसी व्यक्ति को उप-कुलपति नियुक्त किये जाने के लिये उपयुक्त नहीं समझते हैं अथवा सिफारिश किए गए व्यक्तियों में से एक या एकाधिक व्यक्ति नियुक्ति के लिए उपलब्ध न हों और कुलपति का चयनाधिकार तीन से कम व्यक्तियों तक सीमित हो जाय तो वे समिति से नई सिफारिश करने के लिए कह सकते हैं।”

अध्याय 6

वाराणसेय संस्कृत विश्वविद्यालय अधिनियम, 1956 का संशोधन

उत्तर प्रदेश अधि-
नियम संख्या 28,
1956 की धारा
12 का संशोधन

9—वाराणसेय संस्कृत विश्वविद्यालय अधिनियम, 1956 की धारा 12 में, उपधारा (4) में,—

(ख) खण्ड (2) के पश्चात् निम्नलिखित खण्ड रख दिया जाय, अर्थात् :—

“(2-क) जहां कुलपति, समिति द्वारा सिफारिश किए गए व्यक्तियों में से किसी व्यक्ति को उप-कुलपति नियुक्त किए जाने के लिए उपयुक्त नहीं समझते हैं अथवा सिफारिश किए गए व्यक्तियों में से एक या एकाधिक व्यक्ति नियुक्ति के लिए उपलब्ध न हों और कुलपति का चयनाधिकार तीन से कम व्यक्तियों तक सीमित हो जाय, तो वे समिति से नई सिफारिश करने के लिए कह सकते हैं।”

अध्याय 7

कानपुर तथा मेरठ विश्वविद्यालय अधिनियम, 1965 का संशोधन

10—कानपुर तथा मेरठ विश्वविद्यालय अधिनियम, 1965, जिसे आगे इस अध्याय में मूल अधिनियम कहा गया है, की धारा 4 में, उपधारा (7) के पश्चात् निम्नलिखित उपधारा बढ़ दी जाय, अर्थात् :—

“(8) उपधारा (1) में दी गई किसी बात के होते हुए भी, कानपुर विश्वविद्यालय को प्रदत्त अधिकारों का प्रयोग आयुर्वेदिक तथा यूनानी चिकित्सा शाखाओं में शिक्षण तथा शोध कार्यों और उनके ज्ञान की अभिवृद्धि एवं प्रसार के संबंध में संपूर्ण उत्तर प्रदेश में किया जायेगा।”

11—मूल अधिनियम की धारा 9 में, उपधारा (4) में, —

(क) खण्ड (1) में उपखण्ड (ख) के स्थान पर निम्नलिखित उपखण्ड रख दिया जाय, अर्थात् :—

“(ख) उच्च न्यायालय, इलाहाबाद के मुख्य न्यायाधिपति द्वारा नाम-निर्दिष्ट कोई व्यक्ति, जो उक्त उच्च न्यायालय का न्यायाधिपति, जिसके अन्तर्गत उक्त न्यायालय का मुख्य न्यायाधिपति भी है, हो या रहा हो,” और

(घ) खण्ड (3) के स्थान पर निम्नलिखित खण्ड रख दिया जाय, अर्थात् :—

“(3) जहां कुलपति, समिति द्वारा सिफारिश किए गए व्यक्तियों में से किसी व्यक्ति को उपकुलपति नियुक्त किये जाने के लिए उपयुक्त नहीं समझते हैं अथवा सिफारिश किए गए व्यक्तियों में से एक या एकाधिक व्यक्ति नियुक्ति के लिए उपलब्ध न हों और कुलपति का चयनाधिकार तीन से कम व्यक्तियों तक सीमित हो जाय, तो वे समिति से नई सिफारिश करने के लिए कह सकते हैं।”

12—मूल अधिनियम की धारा 26 में—

(1) उपधारा (3) में शब्द “अभिदेश करने” के पश्चात् शब्द “विश्वविद्यालय के किसी अध्यापक की” बढ़ा दिये जाय;

(2) उपधारा (4) में शब्द “जो केवल राज्य सरकार द्वारा संघारित न हो” निकाल दिये जाय;

(3) उपधारा (4) के पश्चात् निम्नलिखित उपधारा बढ़ा दी जाय, अर्थात् :—

“(5) राज्य सरकार या किसी स्थानीय प्राधिकरण द्वारा संघारित किसी संबद्ध कालेज में अध्यापक के पद पर भर्ती और उस पर नियुक्त किसी व्यक्ति की सेवा की शर्तों के संबंध में इस धारा अथवा धारा 28 की कोई बात लागू न होगी।”

13—मूल अधिनियम की धारा 28 में—

(1) उपधारा (1) में शब्द “केवल सरकार द्वारा संघारित कालेज से भिन्न” निकाल दिये जाय;

(2) उपधारा (3) में शब्द “केवल सरकार द्वारा संघारित कालेज से भिन्न”, निकाल दिए जाएं।

14—मूल अधिनियम की धारा 47 के पश्चात् निम्नलिखित धारा बढ़ा दी जाय और सदैव से बढ़ाई गई समझी जाय, अर्थात् :—

“47-क—विश्वविद्यालय के किसी प्राधिकरण या अन्य निकाय के किसी कार्य या किन्हीं कार्यवाहियों पर केवल इस अध्याय पर कि उसकी सदस्यता में अपवाद कोई रिक्ति थी या उसके संघटन में कोई बृटि थी अथवा किसी ऐसे व्यक्ति ने उसकी कार्यवाहियों में भाग लिया जिसके संबंध में बाद में यह पाया जाय कि वह ऐसा करने का हकदार नहीं था, कोई आपत्ति नहीं की जाएगी।”

15—(1) मूल अधिनियम ऐसी अवधि के दौरान जो अनुसूची 1 के स्तंभ 3 में निर्दिष्ट दिनांक से प्रारंभ होकर तथा इस अधिनियम के प्रारंभ होने के दिनांक से तीन वर्ष अतीत होने पर (या ऐसी अवधि जिसके लिए राज्य सरकार गजट में विज्ञप्ति द्वारा निर्देश दे) समाप्त हो, उक्त अनुसूची के स्तंभ 1 और 2 में निर्दिष्ट संशोधनों के अधीन रहते हुए प्रभावी होगा और प्रभावी रहा समझा जायगा।

(2) अनुसूची 2 में निर्दिष्ट, कानपुर तथा मेरठ विश्वविद्यालय (कठिनाइयों को दूर करना) अध्यादेशों द्वारा तथा संशोधित मूल अधिनियम के अधीन किया गया या किये जाने के लिए तात्पर्यित कोई कार्य अथवा की गई या की जाने के लिए तात्पर्यित कोई कार्यवाही इस अधिनियम द्वारा तथा संशोधित

उत्तर प्रदेश अधि-
नियम संख्या 13,
1965 की धारा
4 का संशोधन

धारा 9 का
संशोधन

धारा 26 का
संशोधन

धारा 28 का
संशोधन

नई धारा 47-क
का बढ़ाया जाना

अधिनियम में
अध्यायी संशोधन
तथा वैधीकरण

मूल अधिनियम के अधीन किया गया या की गई समझी जायेगी, और वे उतने ही वैध समझे जायेंगे तथा सदैव से वैध रहे समझे जायेंगे मानों इस अधिनियम के उपबन्ध सभी सारवान अवसरों पर प्रवृत्त थे, भले ही किसी न्यायालय का कोई निर्णय, डिक्री या आदेश इसके प्रतिकूल हो।

अधिनियम में
प्रस्थायी अवधि
के लिए परिणियमों
का निगमित किया
जाना तथा उनका
वैधीकरण

16--(1) मूल अधिनियम की धारा 31 की उपधारा (1) के अधीन प्रथम परिणियमावली के रूप में बनाई जाने के लिए तात्पर्यित तथा दिनांक 28 सितम्बर, 1968 के असाधारण गजट में उसी दिनांक की अलग-अलग विज्ञप्तियां संख्या ग-1 (आर०) 4699/15--39 (9)-66, तथा ग-1 (आर०)-7578/15--39 (9)-66, के साथ क्रमशः प्रकाशित की गई कानपुर तथा मेरठ विश्वविद्यालयों की परिणियमावली, जिनमें दिनांक 31 दिसम्बर, 1968 के असाधारण गजट में उसी दिनांक की विज्ञप्ति संख्या ग-1 (र)-10988/15--39 (9)-66 के साथ प्रकाशित कानपुर तथा मेरठ विश्वविद्यालय (कठिनाइयों को दूर करना) (तृतीय) आदेश, 1968 द्वारा संशोधित तात्पर्यित हुए (जिन्हें आगे इस धारा में उक्त प्रथम परिणियमावली कहा गया है) एतद्द्वारा ऐसी अवधि के दौरान जो 28 सितम्बर, 1968 से प्रारंभ होकर तथा इस अधिनियम के प्रारंभ होने के दिनांक से तीन वर्ष व्यतीत होने पर (या ऐसी अवधि जिसके लिए राज्य सरकार गजट में विज्ञप्ति द्वारा निदेश दे) समाप्त हो, मूल अधिनियम के भाग के रूप में अधिनियमित की जाती है, तथा मूल अधिनियम उस सीमा तक जहां तक वे उक्त प्रथम परिणियमावली के उपबन्धों से असंगत हों, ऐसे उपबन्धों के अधीन रहते हुए, प्रभावी होगा और प्रभावी रहा समझा जायेगा।

(2) उक्त प्रथम परिणियमावली के अधीन किया गया या किये जाने के लिये तात्पर्यित कोई कार्य अथवा की गई या किए जाने के लिए तात्पर्यित कोई कार्यवाही उपधारा (1) द्वारा उक्त अधिनियमित उक्त परिणियमावली के अधीन किया गया या की गई समझी जायेगी और वे उतने ही वैध समझे जायेंगे तथा सदैव से वैध रहे समझे जायेंगे मानों इस अधिनियम के उपबन्ध सभी सारवान अवसरों पर प्रवृत्त थे, भले ही किसी न्यायालय का कोई निर्णय, डिक्री या आदेश इसके प्रतिकूल हो।

उत्तर प्रदेश
अध्यादेश संख्या
4 तथा 9, 1971
का निरसन

17--कानपुर तथा मेरठ विश्वविद्यालय (संशोधन तथा संक्रमणकालीन उपबन्ध) अध्यादेश, 1971 और कानपुर तथा मेरठ विश्वविद्यालय (द्वितीय संशोधन) अध्यादेश, 1971 एतद्द्वारा निरस्त किए जाते हैं।

अनुसूची 1

[धारा 15 (1) देखिये]

मूल अधिनियम के उपबन्ध	संशोधन	दिनांक जिससे संशोधन प्रभावी होगा और प्रभावी हुआ समझा जायेगा
1	2	3
धारा 12(4)	शब्द "विद्वत् परिषद्" के स्थान पर शब्द "कार्यकारिणी परिषद्" रख दिए जायें।	17 मई, 1967
भाग 17	निम्नलिखित प्रतिबन्धात्मक खण्ड बढ़ा दिया जाय— "प्रतिबन्ध यह है कि जब तक कि धारा 15 के अधीन कोर्ट यथाविधि संघटित न किया जाय, दीक्षान्त समारोह करने तथा धारा 5 के खण्ड (4) में उल्लिखित व्यक्तियों को उपाधियां, डिप्लोमाओं तथा शिक्षा संबंधी अन्य विशिष्टताओं के प्रदान एवं संपादन करने से संबंधित कोर्ट के अधिकारों तथा कृत्यों का प्रयोग तथा संपादन कार्यकारिणी परिषद् द्वारा किया जायगा।"	8 दिसम्बर, 1967
	निम्नलिखित द्वितीय प्रतिबन्धात्मक खण्ड बढ़ा दिया जाय :— "अग्रेतर प्रतिबन्ध यह है कि जब तक कि कोर्ट यथाविधि संघटित न किया जाय, अतिरिक्त परिणियम बनाने तथा ऐसे बनाए गए परिणियमों में [किन्तु उत्तर प्रदेश विश्वविद्यालय (संशोधन) अधिनियम, 1971 की धारा 16 में अभिदिष्ट परिणियमों में नहीं] संशोधन और निरसन के अधिकार तथा कृत्यों का प्रयोग तथा संपादन राज्य सरकार द्वारा किया जायगा, और धारा 31 के उपबन्ध इन अधिकारों तथा कृत्यों के प्रयोग तथा संपादन के संबंध में लागू नहीं होंगे।"	16 जनवरी, 1971

1	2	3
	निम्नलिखित तृतीय प्रतिबन्धात्मक खण्ड बढ़ा दिया जाय:—	9 जून, 1971
	"प्रतिबन्ध यह भी है कि उस सीमा तक, जहाँ तक धारा 4 की उपधारा (8) के प्रयोजनों को कार्यान्वित करने के लिए आवश्यक हो, उक्त अधिनियम की धारा 16 में अभिदिष्ट परि- नियम भी राज्य सरकार द्वारा पूर्ववर्ती अंतिम प्रतिबन्धात्मक खण्ड के अधीन संशोधित किए जा सकते हैं।"	
धारा 18	निम्नलिखित उपधारा बढ़ा दी जाय:— "(4) जब तक कि उपधारा (1) के अधीन कार्यकारिणी परिषद् संघटित न की जाय, तब तक उसमें निम्नलिखित होंगे:— (1) उपकुलपति, तथा (2) उन्नीस से अनधिक अन्य व्यक्ति जो राज्य सरकार द्वारा समय-समय पर और ऐसे कार्यकाल के लिए, जो निर्दिष्ट किया जाय, नाम-निर्दिष्ट किये जायें।"	10 मार्च, 1967
धारा 19(3)	निकाल दी जायें	17 मई, 1967
धारा 20(3)	निकाल दी जायें	17 मई, 1967
तथा (4)		
धारा 26(4)	शब्द "विश्वविद्यालय की संबद्ध विषय की चयन समिति" के स्थान पर शब्द "कार्यकारिणी परिषद्" रख दिए जायें।	17 मई, 1967
धारा 33(1)	प्रतिबन्धात्मक खण्ड के खण्ड (ख) तथा (ग) निकाल दिए जायें।	17 मई, 1967
धारा 37(1)	शब्द "विद्वत् परिषद्" के स्थान पर शब्द "कार्यकारिणी परिषद्" रख दिए जायें।	17 मई, 1967
धारा 37(4)	निकाल दी जाय।	17 मई, 1967

अनुसूची 2

[धारा 15(2) देखिए]

1—10 मार्च, 1967 के असाधारण गजट में विज्ञप्ति संख्या ग-1-1540/पन्द्रह—39(74)-66, दिनांक 10 मार्च, 1967 के साथ प्रकाशित, कानपुर तथा मेरठ विश्वविद्यालय (कठिनाइयों को दूर करना) आदेश, 1967।

2—17 मई, 1967 के असाधारण गजट में विज्ञप्ति संख्या ग-1-2177/15—39(74)-66, दिनांक 17 मई, 1967 के साथ प्रकाशित कानपुर तथा मेरठ विश्वविद्यालय (कठिनाइयों को दूर करना) (द्वितीय) आदेश, 1967।

3—15 जुलाई, 1967 के असाधारण गजट में विज्ञप्ति संख्या ग-1 (आर०)-4939/15—39(74)-66, दिनांक 15 जुलाई, 1967 के साथ प्रकाशित कानपुर तथा मेरठ विश्वविद्यालय (कठिनाइयों को दूर करना) (तृतीय) आदेश, 1967।

4—8 दिसम्बर, 1967 के असाधारण गजट में विज्ञप्ति संख्या ग-1-8594/15—39-ए (19)-67, दिनांक 8 दिसम्बर, 1967 के साथ प्रकाशित, कानपुर तथा मेरठ विश्वविद्यालय (कठिनाइयों को दूर करना) (चतुर्थ) आदेश, 1967।

5—7 मई, 1968 के असाधारण गजट में विज्ञप्ति संख्या ग-1 (आर०)-3670/15—39(64)-66, दिनांक 7 मई, 1968 के साथ प्रकाशित, कानपुर तथा मेरठ विश्वविद्यालय (कठिनाइयों को दूर करना) आदेश, 1968।

6—31 दिसम्बर, 1968 के असाधारण गजट में विज्ञप्ति संख्या ग-1 (आर०)-9035/15—39(9)-66, दिनांक 31 दिसम्बर, 1968 के साथ प्रकाशित, कानपुर तथा मेरठ विश्वविद्यालय (कठिनाइयों को दूर करना) (द्वितीय) आदेश, 1968।