The Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974

Act 29 of 1974

Keyword(s):
Universities, Affiliated or Associated College, Principal, Dean, Head of the Department, Degree Colleges

THE UTTAR PRADESH UNIVERSITIES (RE-ENACTMENT AND AMENDMENT) ACT, 1974
(U. P. ACT No. 29 OF 1974)

*Authoritative English Text of the Uttar Pradesh Vishwavidyalaya (Punah Adhiniyaman tatha Sanshodhan) Adhiniyam, 1974*

AN ACT
to repeal the Uttar Pradesh State Universities Act, 1973 and to re-enact the same with certain modifications and to further amend the Uttar Pradesh Agricultural University Act, 1958.

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

CHAPTER I
PRELIMINARY

1. This Act may be called the Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974. Short title.

CHAPTER II
AMENDMENT OF THE UTTAR PRADESH STATE UNIVERSITIES ACT, 1973

2. The Uttar Pradesh State Universities Act, 1973 (hereinafter in this Chapter referred to as the principal Act), is hereby repealed and re-enacted with the modifications set out in sections 3 to 18. Repeal and re-enactment with modifications of President's Act no. 10 of 1973.

*(For Statement of Objects and Reasons, please see Uttar Pradesh Gazette Extraordinary, dated July 31, 1974.)*

(Passed in Hindi by the Uttar Pradesh Legislative Assembly on August 7, 1974, and passed with amendment by the Uttar Pradesh Legislative Council on August 17, 1974, which was approved by the Uttar Pradesh Legislative Assembly on August 21, 1974.)

(received the assent of the President on September 22, 1974, under Article 201 of the Constitution of India and was published in the Uttar Pradesh Gazette Extraordinary, dated September 25, 1974.)

Price 45 n. p.
3. In the title of the principal Act, the words "Enacted by the President in the Twenty-fourth Year of the Republic of India" shall be omitted, and for the existing preamble, the words "It is hereby enacted as follows" shall be substituted.

4. In section 1 of the principal Act, in sub-section (4), clause (b) shall be omitted.

5. In section 2 of the principal Act—

(ii) in clause (4), for the words "this Act" the words "this Act and the Statutes of the University" shall be substituted;

(ii) in clause (18), for the words "by the University or by a constituent, affiliated or associated college for imparting instruction or guiding or conducting research", the words "for imparting instruction or guiding or conducting research in the University or in an Institute or in a constituent, affiliated or associated college" shall be substituted.

6. In section 4 of the principal Act, after sub-section (1), the following sub-sections shall be inserted, namely:

"(1-A) With effect from such date or dates as the State Government may by notification in the Gazette appoint in this behalf, there shall be established—

(a) a University of Bundelkhand at Jhansi;

(b) a University of Avadh at Faizabad; and

(c) a University of Rohilkhand at Bareilly;

for the areas respectively specified in the Schedule.

(1-B) In relation to the Universities to be established under sub-section (1-A)—

(a) the State Government shall appoint interim officers of the Universities (other than the Chancellor) and shall constitute interim authorities of such Universities in such manner as it thinks fit;

(b) the officers appointed and members of the authorities constituted under clause (a) shall hold office for a term of two years from the date of such appointment or constitution, as the case may be;

(c) the State Government shall take steps for the appointment of officers and constitution of authorities of such Universities in accordance with the provisions of this Act, so that the same may be completed before the expiry of the respective terms of the interim officers and members under clause (b)."

7. In section 13 of the principal Act, in sub-section (4), for the words and figures "under section 10", the words and figures "under sections 10 and 68" shall be substituted.

8. In section 17 of the principal Act, in sub-section (2), for the words "the posts of Registrars, Deputy Registrars and Assistant Registrars", the words "the administrative posts of Registrars, Deputy Registrars and Assistant Registrars" shall be substituted.

9. In section 20 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:

"(2) The terms of office of members mentioned in clauses (c), (d) and (e) of sub-section (1) shall be one year and of members mentioned in clauses (f) and (g) thereof shall be three years."

10. In section 22 of the principal Act, in sub-section (1), Class VI, clause (xiii) shall be omitted.

11. In section 27 of the principal Act—

(a) in sub-section (4), for the first proviso, the following proviso thereto shall be substituted, namely:

"Provided that in the case of a Medical, Engineering, Ayurvedic or Fine Arts College, the Principal of such college shall be the ex officio Dean of Medical, Engineering, Ayurvedic or Fine Arts Faculty, as the case may be."
(b) for sub-section (6), the following sub-section shall be substituted, namely:—

“(6) In each Department of teaching in the University, there shall be a Head of the Department whose appointment shall be regulated by Statutes:

Provided that every person holding the office of Head of Department immediately before the date of commencement of this sub-section shall, subject to the provisions of this Act and the Statutes, continue to hold office on the same terms and conditions as he held immediately before the said date.”

12. In section 31 of the principal Act—

(i) in sub-section (4), in clause (d), before the existing proviso the following proviso shall be inserted and be deemed always to have been inserted, namely:—

“Provided that in the case of a college where there is no principal or other teacher available for being a member of the Selection Committee under sub-clause (ii), the remaining members referred to in this clause shall constitute such Selection Committee:”;

(ii) in sub-section (5), after clause (c), the following clause shall be inserted, namely:—

“(d) The Chancellor or the Vice-Chancellor, as the case may be, may intimate in a specified order, a larger number of names of experts than required under sub-section (4) for serving as his nominees on the Selection Committee. In such case, on any person whose name appears higher in the specified order not being available for a meeting of the Selection Committee, a person whose name appears nearest lower in the specified order shall be requested to serve on the Committee.”

(iii) after sub-section (7), the following sub-section shall be inserted and be deemed always to have been inserted, namely:—

“(7-A) It shall be open to the Selection Committee to recommend one or more but not more than three names for each post.”

(iv) in sub-section (11),—

(a) for the words “colleges established and administered by a minority referred to in clause (1) of Article 30 of the Constitution of India”, the words “affiliated or associated colleges (other than those maintained exclusively by the State Government or by a local authority)” shall be substituted;

(b) in clause (ii) for the words “the Act and the Statutes”, the words “this Act” shall be substituted and be deemed always to have been substituted.

13. In section 34 of the principal Act, in sub-section (1), the words “and the holding of the remunerative offices by them” shall be omitted.

14. In section 49 of the principal Act, in clause (b), for the words, “including the rules of conduct to be observed by them”, the words “including the maintenance by them of their annual academic progress report and the rules of conduct to be observed by them” shall be substituted.

15. In section 50 of the principal Act—

(i) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1-A) The State Government may by notification in the Gazette amend whether by way of addition, substitution or omission, the First Statutes at any time within a period of one year from the date of commencement of such Statutes, and any such amendment may be retrospective to a date not earlier than the date of such commencement.”

(ii) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The Executive Council may, at any time after the expiration of a period of one year from the date of commencement of the First
16. After section 72 of the principal Act, the following section shall be inserted, namely:

"72-A. Notwithstanding anything contained in this Act—

(a) every person holding office as an officer (other than the Transitory provisions regarding Kashi Vidyapith. Chancellor) of the Kashi Vidyapith on the date immediately before its establishment as a University shall continue to hold office as such on the same terms and conditions except as respect tenure as he held on the said date until fresh appointments are made under clause (b);

(b) as soon as may be after the commencement of this section, the State Government may appoint interim officers of the said University (other than the Chancellor) and shall constitute interim authorities of the said University in such manner as it thinks fit, upon which the corresponding officers referred to in clause (a) shall cease to hold office and the corresponding authorities, shall stand dissolved forthwith;

(c) the officers appointed and the members of the authorities constituted under clause (b) shall hold office for a term of two years from the date of such appointment or constitution, as the case may be;

(d) the State Government shall take steps for the appointment of officers and constitution of authorities of the said University in accordance with the provisions of this Act, so that the same may be completed before the expiry of the respective terms of the interim officers and members under clause (c)."

17. In section 74 of the principal Act, in sub-section (3)—

(i) clause (a) shall be omitted.

(ii) after clause (f), the following clauses shall be inserted and be deemed always to have been inserted, namely:

"(g) every student of the Kashi Naresh Government Degree College, Gyanpur, or the Government Degree College, Jakhni, situate in district Varanasi, or the Government Degree College, Rishikesh, situate in district Dehra Dun, who—

(1) immediately before the commencement of Uttar Pradesh State Universities Ordinance, 1973, was studying for a degree of the University of Agra; or

(2) was admitted as a student of any of the said colleges during the academic year 1973-74 for a degree of the said University; or

(3) is eligible to appear at any degree examination of the said University in the year 1974 or in the year 1975 as an ex-student;

shall be permitted to complete his course in accordance with the syllabus of the University of Agra, and necessary arrangements for the instruction and examination of such students shall be made by the University of Agra and on the results of such examination, the degree may be conferred by that very University;

(h) until the Faculties are constituted in the Universities referred to in sub-section (1) or sub-section (1-A) or section 4, the Selection Committee referred to in clause (c) of sub-section (4) of section 31 shall consist of the following members, namely—

(1) the Head of the Management or a member of the Management nominated by him, who shall be the Chairman;

(2) one member of the Management nominated by the Management; and

(3) three experts to be nominated by the Vice-Chancellor."
18. In the Schedule to the principal Act, for the entries at serial numbers 3, 4, 5, 6, 7, and 8, the following entries shall respectively be substituted, namely:

3. The University of Agra—
   (i) until the establishment of the University of Rohilkhand.
   Districts of Agra, Aligarh, Bareilly, Bijnor, Budh, Etah, Mainpuri, Mathura, Moradabad, Pilibhit, Rampur and Shahjahanpur.
   (ii) upon the establishment of the University of Rohilkhand.
   Districts of Agra, Aligarh, Etah, Mainpuri and Mathura.

4. The University of Gorakhpur—
   (i) until the establishment of the University of Avadh.
   Districts of Azamgarh, Bahraich, Ballia, Basti, Deoria, Faizabad, Ghazipur, Gonda, Gorakhpur, Jaunpur, Mirzapur, Pratapgarh, Sultanpur and Varanasi.
   (ii) upon the establishment of the University of Avadh.
   Districts of Azamgarh, Ballia, Basti, Deoria, Ghazipur, Gorakhpur, Jaunpur, Mirzapur and Varanasi.

5. The University of Kanpur—
   (i) until the establishment of the Universities of Bundelkhand and Avadh.
   Districts of Allahabad, Banda, Bara Banki, Etauh, Farrukhabad, Fatehpur, Hamirpur, Hardoi, Jalaun, Jhansi, Kanpur, Lakhimpur-Kheri, Lalitpur, Lucknow, Rae Bareli, Sitapur and Unnao, excepting the area which lies within the limits of the Universities of Allahabad and Lucknow.
   (ii) upon the establishment of the Universities of Bundelkhand and Avadh.
   Districts of Allahabad, Bara Banki, Farrukhabad, Hardoi, Kanpur, Lakhimpur-Kheri, Lucknow, Rae Bareli, Sitapur and Unnao excepting the area which lies within the limits of the Universities of Allahabad and Lucknow.

6. The University of Meerut
   Districts of Bulandshahr, Meerut, Muzaffarnagar and Saharanpur.

7. The University of Kumaun
   Districts of Almora, Nainital and Pithoragarh.

8. The University of Garhwal
   Districts of Chamoli, Dehra Dun, Garhwal, Tehri-Garhwal and Uttar Kashi.

9. The University of Bundelkhand
   Districts of Banda, Hamirpur, Jalaun, Jhansi and Lalitpur.

10. The University of Avadh
    Districts of Bahraich, Bara Banki, Faizabad, Gonda, Pratapgarh and Sultanpur.

11. The University of Rohilkhand
    Districts of Budaun, Bareilly, Bijnor, Moradabad, Pilibhit, Rampur, and Shahjahanpur.

CHAPTER III

AMENDMENT OF UTTAR PRADESH AGRICULTURAL UNIVERSITY ACT, 1958

19. In the long title and the preamble of the Uttar Pradesh Agricultural University Act, 1958 (hereinafter in this Chapter referred to as the principal Act), for the words “an Agricultural University”, the words “Agricultural Universities” shall be substituted.
Amendment of section 1.

20. In section 1 of the principal Act, in sub-section (1) for the words "Uttar Pradesh Agricultural University Act", the words "Uttar Pradesh Krishi Evam Prodyogik Vishwavidyalaya Adhiniyam" shall be substituted.

Amendment of section 2.

21. In section 2 of the principal Act, for clause (I), the following clause shall be substituted, namely:

"(I) 'University' means the Govind Ballabh Pant Krishi Evam Prodyogik Vishwavidyalaya or the Narendra Deva Krishi Evam Prodyogik Vishwavidyalaya, or the Chandrashekhar Azad Krishi Evam Prodyogik Vishwavidyalaya, as the case may be."

Insertion of new section 2-A.

22. After section 2 of the principal Act, the following section shall be inserted, namely:

"2-A. (I) Besides the Govind Ballabh Pant Krishi Evam Prodyogik Vishwavidyalaya in existence at Pantnagar, immediately before the commencement of this section, there shall be established, with effect from such date as the State Government may, by notification in the Gazette appoint in that behalf (hereinafter referred to as the appointed day)—

(i) a University at Faizabad to be known as the Narendra Deva Krishi Evam Prodyogik Vishwavidyalaya; and

(ii) a University at Kanpur to be known as Chandrashekhar Azad Krishi Evam Prodyogik Vishwavidyalaya.

(2) In relation to the Universities to be established under sub-section (I)—

(a) the State Government shall appoint interim officers of the University (other than the Chancellor) and shall constitute interim authorities of such Universities, in such manners as it thinks fit;

(b) the officers appointed and members of the authorities constituted under clause (a) shall hold office for a term of two years from the date of such appointment or constitution, as the case may be;

(c) the State Government shall take steps for the appointment of officers and constitution of authorities of such Universities in accordance with the provisions of this Act, so that the same may be completed before the expiry of the respective terms of the interim officers and members under clause (b)."

Amendment of section 3.

23. In section 3 of the principal Act, for sub-section (I), the following sub-section shall be substituted, namely:

"(I) The Chancellor, the Vice-Chancellor and the members of the Board and the Academic Council for the time being holding office as such in each University shall constitute a body corporate by the name of that University."

Insertion of new section 6-A.

24. After section 6 of the principal Act, the following section shall be inserted, namely:

"6-A. The powers of the University under section 6 shall with respect to the Extension, Training and Research be exercisable in respect of the area for the time being specified against it in the Schedule."
26. After section 36 of the principal Act, the following Schedule shall be inserted, namely:

**THE SCHEDULE**

(See section 6-A)

<table>
<thead>
<tr>
<th>Serial no.</th>
<th>Name of the University</th>
<th>Area within which the University shall exercise jurisdiction for purposes of extension, training and research</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(a) until the establishment of the Narendra Deva Krishi Evam Prodyogik Vishwavidyalaya and Chandrashekher Azad Krishi Evam Prodyogik Vishwavidyalaya.</td>
<td>Kumaun, Garhwal, Rohilkhand and Meerut Divisions.</td>
</tr>
<tr>
<td></td>
<td>(b) upon the establishment of the Narendra Deva Krishi Evam Prodyogik Vishwavidyalaya and Chandrashekher Azad Krishi Evam Prodyogik Vishwavidyalaya.</td>
<td>Chandrashekhar Azad Krishi Evam Prodyogik Vishwavidyalaya.</td>
</tr>
</tbody>
</table>

27. In the principal Act, for the words “the Chancellor”, “the Vice-Chancellor” and “the Registrar”, wherever occurring, the words “Kuladhipati (Chancellor),” “Kulpati (Vice-Chancellor)” and “Kul Sachiv (Registrar)” shall respectively be substituted.

CHAPTER IV

TRANSIORY PROVISIONS

28. (1) The State Government may, for the purpose of removing any difficulty, particularly in relation to the establishment and functioning of the Universities of Bundelkhand, Avadh, Rohilkhand or Narendra Deva Krishi Evam Prodyogik Vishwavidyalaya or Chandrashekher Azad Krishi Evam Prodyogik Vishwavidyalaya by order published in the Official Gazette direct that the provisions of the enactments referred to in Chapters II and III shall, during such period as may be specified in the order, have effect subject to such adaptation whether by way of modification, addition or omission as it may deem to be necessary or expedient:

Provided that no such order shall be made after two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid before both Houses of the State Legislature.

(3) No order under sub-section (1) shall be called in question in any court on the ground that no difficulty as is referred to in sub-section (1) existed or required to be removed.
No. 759(2)/XVII—V-1—111-1981
Dated Lucknow, February 26, 1982

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Sanskodhan) Adhiniyam, 1982 (Uttar Pradesh Adhiniyam Sankhya 10 of 1982) as passed by the Uttar Pradesh Legislature and assented to by the Governor on February 26, 1982:

THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1982
(U. P. ACT No. 10 of 1982)
(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh State Universities Act, 1973

IT IS HEREBY enacted in the Thirty-second Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh, State Universities (Amendment) Act, 1982.
   (2) It shall be deemed to have come into force on July 8, 1981.

2. In section 20 of the Uttar Pradesh State Universities Act, 1973, herein-after referred to as the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:

   "(2) The term of office of members mentioned in—
   (i) clauses (c), (d) and (e) of sub-section (1) shall be one year;
   (ii) clause (f) of sub-section (1) shall be three years; and
   (iii) clause (g) of sub-section (1) shall be two years."
3. Where a member of the Executive Council was nominated under clause (g) of sub-section (1) of section 20 of the principal Act, at any time before the commencement of this Act, and—

(a) such member has completed the period of two years from the date of his nomination, then, he shall cease to be a member of the said Council on the date of such commencement;

(b) such member has not completed the period of two years from the date of his nomination, then, he shall cease to be a member of the said Council on the expiry of the said period of two years.

4. (1) The Uttar Pradesh State Universities (Second Amendment) Ordinance, 1981, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) or in pursuance of any of the provisions of the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By Order,

G. B. SINGH,

Sach. pr
No. 2646(2)/XVII-V—1—1(Ka) 5-82

Dated Lucknow, September 20, 1982

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Dwitiya Sansodhan) Adhiniyam, 1982 (Uttar Pradesh Adhiniyam Sankhya 25 of 1982) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 9, 1982:

THE UTTAR PRADESH STATE UNIVERSITIES (SECOND AMENDMENT) ACT, 1982

(U. P. Act No. 25 of 1982)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh State Universities Act, 1973 and the Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974

It is hereby enacted in the Thirty-third Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh State Universities (Second Amendment) Act, 1982.

(2) The provisions of sections 2, 3 and 4 shall be deemed to have come into force on December 29, 1981 and the remaining provisions shall come into
2. In section 50 of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act,—

(a) in sub-section (1-A), for the word and figures “December 31, 1981”, the word and figures “December 31, 1982” shall be substituted, and

(b) in sub-section (2), for the word and figures “December 31, 1981”, the word and figures “December 31, 1982” shall be substituted.

3. In section 73 of the principal Act, in sub-section (1), in the proviso thereto, for the word and figures “December 31, 1981”, the word and figures “December 31, 1982” shall be substituted.

4. In section 28 of the Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974, in sub-section (1), in the proviso thereto, for the word and figures “December 31, 1981”, the word and figures “December 31, 1982” shall be substituted.

5. (1) The Uttar Pradesh State Universities (Amendment) (Second) Finance Ordinance, 1982, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act or the Act referred to in section 4 as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of those Acts as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,

G. B. SINGH,
Sachiv.
No. 902(2)/XVII-V-1—1(Ka)-19-82

Dated Lucknow, March 11, 1983

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Sanshodhan) Adhiniyam, 1983 (Uttar Pradesh Adhiniyam Sankhya 4 of 1983) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 10, 1983:

THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1983

[U. P. ACT NO. 4 OF 1983]

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh State Universities Act, 1973.

IT IS HEREBY enacted in the Thirty-fourth Year of the Republic of India as follows :-

1. (1) This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 1983.

   (2) It shall be deemed to have come into force on June 25, 1982.

2. In section 58 of the Uttar Pradesh State Universities Act, 1973, in subsection (1),—

   (a) in the first proviso, for the words “four years” the words “five years” shall be substituted;
(b) for the second proviso, the following proviso shall be substituted, namely:

"Provided further that if at the expiration of the said period of five years, there is no lawfully constituted Management of the college the Authorised Controller shall continue to function as such, until the State Government is satisfied that the Management has been lawfully constituted:

Provided also that the State Government may, at any time, revoke an order made under this sub-section."

3. (1) The Uttar Pradesh State Universities (Second Amendment) (Second) Ordinance, 1982, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under section 58 of the Uttar Pradesh State Universities Act, 1973, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of that Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,

G. B. SINGH,

Sachtr.
IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Dwitiya Sanshodhan) Adhiniyam, 1983 (Uttar Pradesh Adhiniyam Sankhya 6 of 1983), as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 11, 1983:

THE UTTAR PRADESH STATE UNIVERSITIES (SECOND AMENDMENT) ACT, 1983

(U. P. ACT No. 6 of 1983)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh State Universities Act, 1973

IT IS HEREBY enacted in the Thirty-fourth Year of the Republic of India as follows:

Short title and commencement.

Amendment of section 50, of President's Act no. 10 of 1973 as re-enacted by U.P. Act no. 29 of 1974.

1. (1) This Act may be called the Uttar Pradesh State Universities (Second Amendment) Act, 1983.

(2) It shall be deemed to have come into force on January 1, 1983.

2. In section 50 of the Uttar Pradesh State Universities Act, 1973,—

(a) in sub-section (1-A), for the word and figures “December 31, 1982” the word and figures “December 31, 1984” shall be substituted; and

(b) in sub-section (2), for the word and figures “December 31, 1982” the word and figures “December 31, 1984” shall be substituted.

3. (1) The Uttar Pradesh State Universities (Amendment) Ordinance, 1983 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the enactment, referred to in section 2, as amended by the Ordinance, referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of that Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,

G. B. SINGH,

Sachiv.

पी एस एस धू.पी-ए फी 360 खाली (विदे) --14-3-83 --(3965) --1983--950 (मेक)
THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1985
[As passed by the Uttar Pradesh Legislature]

AN ACT

further to amend the Uttar Pradesh State Universities Act, 1973

IT IS HEREBY enacted in the Thirty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 1985.

(2) Section 2 shall be deemed to have come into force on October 10, 1984, section 3 shall be deemed to have come into force on December 31, 1984 and the rest of the provisions shall come into force at once.

2. After section 31 of the Uttar Pradesh State Universities Act, 1973, as amended and re-enacted by the Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974, hereinafter referred to as the principal Act, the following section shall be inserted, namely:—

"31-A. (1) Notwithstanding anything to the contrary contained in any other provision of this Act, a Lecturer or Reader in the University substantively appointed under section 31, who has put in such length of service and possesses such qualifications, as may be prescribed, may be given personal promotion, respectively to the post of Reader or Professor.

(2) Such personal promotion shall be given on the recommendation of the Selection Committee, constituted under clause (a) of sub-section (4) of section 31, in such manner and subject to such conditions as may be prescribed.

(3) Nothing contained in this section shall affect the posts of the teachers of the University to be filled by direct appointment in accordance with the provisions of section 31."

3. In section 50 of the principal Act,

(a) in sub-section (1-A), for the word and figures "December 31, 1984" the word and figures "December 31, 1985" shall be substituted, and

(b) in sub-section (2), for the word and figures "December 31, 1984" the word and figures "December 31, 1985" shall be substituted.

4. (1) The Uttar Pradesh State Universities (Amendment) Ordinance, 1984 and the Uttar Pradesh State Universities (Second Amendment) Ordinance, 1984, are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.

By order, Rajeshwar Singh, Vishesh Sachiv.

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Sansthodhan) Adhiniyam, 1986 (Uttar Pradesh Adhiniyam Sankhya 16 of 1986), as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 8, 1986:

THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1986
(U. P. Act no. 15 of 1986)
(As passed by the Uttar Pradesh Legislature)

AN
ACT

further to amend the Uttar Pradesh State Universities Act, 1973

IT IS HEREBY enacted in the Thirty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 1986.

(2) It shall be deemed to have come into force on May 21, 1986.

2. In section 50 of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act,—

(a) in sub-section (1-A), for the word and figures “December 31, 1985” the word and figures “December 31, 1987” shall be and be deemed always to have been substituted, and

(b) in sub-section (2), for the word and figures “December 31, 1985” the word and figures “December 31, 1987” shall be and be deemed always to have been substituted.

3. (1) The Uttar Pradesh State Universities (Amendment) Ordinance, 1986, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,
S. N. SAHAY,
Secretary,
In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Sansthan) Adhiniyam, 1987 (Uttar Pradesh Adhiniyam Sankhya 19 of 1987) as passed by the Uttar Pradesh Legislature and assented to by the Governor on July 31, 1987:

THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1987

(U. P. ACT NO. 19 OF 1987)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

Further to amend the Uttar Pradesh State Universities Act, 1973

IT IS HEREBY enacted in the Thirty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 1987.

2. In section 4 of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act,—

(a) in sub-section (1-A),—

(i) in clause (b), the word “and” shall be omitted;

(ii) after clause (c), the following clause shall be inserted, namely:—

“(d) a University to be known as Purvanchal University at Jaunpur;”

(b) in sub-section (1-B), in clause (b), the words “up to December 31, 1981 or” shall be omitted and for the words “whichever be earlier,” the words “or such other earlier date as may be specified by the State Government in this behalf” shall be substituted.

3. In section 38 of the principal Act, for sub-section (8), the following sub-section shall be substituted, namely:—

“(8) Notwithstanding anything in this section or in section 5, any associated college situated within the area of any University to which this section applies, may, subject to such directions, as may be issued by the State Government in this behalf, be admitted to the privileges of affiliation by any University to which section 37 applies.”

4. In section 50 of the principal Act, after sub-section (1-A), the following sub-section shall be inserted, namely:—

“(1-B) Until the First Statutes of the Purvanchal University are made under this section, the Statutes of the University of Gorakhpur, as in force immediately before the establishment of the said University shall apply to it subject to such adaptations and modifications as the State Government may, by notification, provide.”
5. In section 52 of the principal Act, after sub-section (2) the following sub-section shall be inserted, namely:—

“(2-A) Until the First Ordinances of the Purvanchal University are made under sub-section (2), the Ordinances of the University of Gorakhpur, as in force immediately before the establishment of the said University, shall apply to it subject to such adaptations and modifications as the State Government may, by notification, provide.”

6. In the Schedule to the principal Act,—

(a) for the entries at Serial no. 4, the following entries shall be substituted, namely:—

“4. The University of Gorakhpur—

(i) Until the establishment of the Purvanchal University

(ii) upon the establishment of the Purvanchal University

(b) after the entries of serial no. 11, inserted, namely:—

“12. The Purvanchal University

7. (1) The State Government may, for the purpose of removing any difficulty in relation to the establishment of the Purvanchal University, by order published in the Gazette, direct that the provisions of the principal Act shall during such period, as may be specified in the order, have effect subject to such adaptations, whether by way of modification, addition or omission as it may deem to be necessary or expedient:

Provided that no such order shall be made after two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid before both Houses of the State Legislature.

(3) No order under sub-section (1) shall be called in question in any Court on the ground that no difficulty, as is referred to in sub-section (1) existed or was required to be removed.

By order,

S. N. SAHAY,
Sachiv.
No. 488 (2)/XVII-V-1—1 (KA) 4-1988

Dated Lucknow April 4, 1988

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Samhichdan) Adhiniyam, 1988 (Uttar Pradesh Adhiniyam Sankhye 9 of 1988) as passed by the Uttar Pradesh Legislature and assented to by the Governor on April 14, 1988:

THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1988

[U. P. ACT NO. 9 OF 1988]

(As passed by the U. P. Legislature)

AN ACT

further to amend the Uttar Pradesh State Universities Act, 1973.

It is hereby enacted in the Thirty-ninth Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 1988.

(2) Section 3 shall be deemed to have come into force on January 1, 1988. Sections 2 and 4 shall be deemed to have come into force with effect from January 15, 1988 and the remaining provisions shall come into force at once.
2. In section 20 of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act, in sub-section (1) in clause (g) the following proviso shall be inserted, namely:

"Provided that one of the persons so nominated shall be a person who is or has been a Judge of the Supreme Court or High Court."

3. In section 50 of the principal Act, —

(a) in sub-section (1-A), for the word and figures “December 31, 1987” the word and figures “December 31, 1990” shall be substituted, and

(b) in sub-section (2), for the word and figures “December 31, 1987” the word and figures “December 31, 1990” shall be substituted.

4. With effect from the commencement of this section a person nominated as a member of the Executive Council under clause (g) of sub-section (1) of section 20 of the principal Act before such commencement shall cease to be a member of such Executive Council.

5. (1) The Uttar Pradesh State Universities (Amendment) Ordinance, 1988, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance, referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,

S. N. SAHAY,
Sachiv.
THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1992

(U. P. ACT No. 1 OF 1992)

[As passed by the U. P. Legislature]

AN ACT

further to amend the Uttar Pradesh State Universities Act, 1973

IT IS HEREBY enacted in the Forty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 1992.
   (2) It shall be deemed to have come into force on November 22, 1991.

2. In section 13, the Uttar Pradesh State Universities Act, 1973, as amended and re-enacted by the Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974, hereinafter referred to as the principal Act:
   (a) in sub-section (6), after the words “Where any matter” the words “other than the appointment of teacher of the University” shall be inserted;
   (b) in sub-section (8), the words “or a teacher of the University” shall be omitted.

3. In section 31 of the principal Act,—
   (a) in sub-section (1), words “The Selection Committee shall meet as often as necessary” shall be inserted at the end;
   (b) in sub-section (3), after clause (b) and the provisos thereto, the following clause shall be inserted, namely:

   “(c) Any teacher of the University who was appointed as lecturer on or before June 30, 1991 without reference to the Selection Committee by way of a short term arrangement in accordance with the provisions for the time being in force for such appointment, may be given substantive appointment by the Executive Council, if any substantive vacancy of the same cadre and grade in the same department is available on November 22, 1991 if such teacher—
   (i) is serving as such on November 22, 1991 continuously since such initial appointment by way of short term arrangement;
   (ii) possessed on November 22, 1991 the qualifications required for regular appointment to the post under the provisions of the relevant Statutes in force on the date of the initial appointment;
   (iii) has been found suitable for regular appointment by the Executive Council.

   A teacher appointed by way of short term arrangement as aforesaid who does not get a substantive appointment under this clause shall cease to hold such post on such date as the Executive Council may specify”.

4. (1) The Uttar Pradesh State Universities (Second Amendment) Ordinance, 1991 is hereby repealed.
   (2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,

N. K. NARANG,

Sachiv.
No. 509(2)/XVII-V-1-1(KA)-2-1994

Dated Lucknow, March 25, 1994

Pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the UP Rajya Vishwavidyalaya (Sansthodhan) Adhiniyam, 1994 (Uttar Pradesh Sansthodhan Samiti Act, 1994) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 24, 1994.

THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1994

[U.P. Act No. 5 of 1994]

(As passed by the U.P. Legislature)

AN

ACT

further to amend the Uttar Pradesh State Universities Act, 1973.

IT IS HEREBY enacted in the 'Forty-fifth' Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 1994.

(2) It shall be deemed to have come into force on January 17, 1994.
3. After section 72-B of the principal Act, the following section shall be inserted namely:

"72-C. With effect from January 17, 1994 any reference to the University of Meerut in this Act, or any rules, statutes, ordinances, statutory instruments or any other law for the time being in force or in any document or proceedings shall be construed as a reference to the Chaudhary Charan Singh University, Meerut."

4. In the Schedule to the principal Act, in column 2 against serial number 6, for the words "The University of Meerut", the words "Chaudhary Charan Singh University, Meerut" shall be substituted.

5. (1) The Uttar Pradesh State Universities (Amendment) Ordinance, 1994 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,

N. K. NARANG,

Sachiv.
THE UTTAR PRADESH STATE UNIVERSITIES (SECOND AMENDMENT) ACT, 1994
(U.P. ACT No. 20 of 1994)
(AS passed by the U.P. Legislature)

AN ACT

further to amend the Uttar Pradesh State Universities Act, 1973

IT IS HEREBY enacted in the Forty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Uttar Pradesh State Universities (Second Amendment) Act, 1994.

(2) Sections 3, 7 and 8 shall be deemed to have come into force on June 18, 1994, sections 2, 4, 5 and 6 shall be deemed to have come into force on July 15, 1994 and the remaining sections shall come into force at once.

2. In section 2 of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act, after clause (5) the following clause shall be inserted, namely:—

"(5-A) the expression "other backward classes of citizens" shall have the same meaning as in the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and other Backward Classes) Act, 1994.

3. In section 4 of the principal Act, in sub-section (1-A), in clause (b), after the words "at Faizabad" the words "which shall with effect from June 18, 1994 be called the Doctor Ram Manohar Lohia University, Faizabad" shall be substituted.

4. In section 6 of the principal Act, in the proviso, for the words "the Scheduled Castes or Scheduled Tribes", the words "the Scheduled Castes, the Scheduled Tribes or other backward classes of citizens" shall be substituted.

5. In section 12 of the principal Act, after sub-section (11), the following sub-sections shall be inserted, namely:—

"(12) If in the opinion of the Chancellor, the Vice-Chancellor wilfully omits or refuses to carry out the provisions of this Act or abuses the powers vested in him, or if it otherwise appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interest of the University, the Chancellor may, after making such inquiry as he deems proper, by order, remove the Vice-Chancellor.

(13) During the pendency or in contemplation, of any inquiry referred to in sub-section (12) the Chancellor may order that any order or decision of the Vice-Chancellor shall not take effect, or that any order or decision of the Vice-Chancellor shall be null and void.

(a) such Vice-Chancellor shall refrain from performing the functions of the office of Vice-Chancellor, but shall continue to receive the emoluments to which he was otherwise entitled under sub-section (8);

(b) the functions of the office of the Vice-Chancellor shall be performed by the person specified in the order."

6. In section 28 of the principal Act, for sub-section (5) the following sub-sections shall be substituted, namely:—

"(5) Notwithstanding anything contained in any other provision of this Act,—

(a) reservation of seats for admission in any course or study conducted at the University, Institute, constituent college, affiliated college or associated college for the students belonging to the Scheduled Castes, Scheduled Tribes and other backward classes of citizens may be made and regulated by such orders as the State Government may, by notification, make in that behalf:

Provided that reservation under this clause shall not exceed fifty per cent of the total number of seats in any course of study;

Provided further that reservation under this clause shall not apply in the case of an institution established and administered by the Central Government or the Government of any State, or in the case of an institution endowed for the promotion of any religious (protestant or non-protestant) or charitable or literary or scientific institution under the provisions of section 5 of the Bombay Public Charitable Trusts Act, 1950;"

7. In section 28 of the principal Act, for sub-section (5) the following sub-sections shall be substituted, namely:—

"(5) Notwithstanding anything contained in any other provision of this Act,—

(a) reservation of seats for admission in any course or study conducted at the University, Institute, constituent college, affiliated college or associated college for the students belonging to the Scheduled Castes, Scheduled Tribes and other backward classes of citizens may be made and regulated by such orders as the State Government may, by notification, make in that behalf:

Provided that reservation under this clause shall not exceed fifty per cent of the total number of seats in any course of study;
Provided also that the reservation under this clause shall not apply to the category of other backward classes of citizens specified in Schedule II to the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994,—

(b) admission to medical and engineering colleges and to courses of instruction for degrees in education and Ayurvedic or Unani systems of medicine (including the number of students to be admitted), shall subject to clause (a), be regulated by such orders (which if necessary may be with retrospective effect, but not effective prior to January 1, 1979) as the State Government may by notification, make in that behalf:

Provided that no order regulating admission under this clause shall be inconsistent with the rights of minorities in the matter of establishing and administering educational institutions of their choice;

(c) in making an order under clause (a), the State Government may direct that any person who wilfully acts in a manner intended to contravene, or defeat the purposes of the order shall be punishable with imprisonment for a term not exceeding three months or with fine not exceeding one thousand rupees, or with both, as may be specified in the order.

(5-A) Every order made under clause (a) of sub-section (5) shall be laid, as soon as may be, before both Houses of the State Legislature and the provisions of sub-section(1)of section 23-A of the Uttar Pradesh General Clauses Act, 1904 shall apply as they apply in respect of rules made by the State Government under any Uttar Pradesh Act.

7. After section 72-C of the principal Act, the following section shall be substituted, namely:

"72-D. With effect from June 18, 1994 any reference to the University of Awadh in this Act or any rules, statutes, Ordinances, statutory instruments or any other law of name of the University of Awadh for the time being in force or in any document or proceedings shall be construed as a reference to the Doctor Ram Manohar Lohia University, Faizabad."

8. In the Schedule to the principal Act, in Column 2, against serial no 10, for the words "the University of Awadh", the words "Doctor Ram Manohar Lohia University, Faizabad" shall be substituted.

9. (1) The Uttar Pradesh State Universities (Second Amendment) Ordinance, 1994 and the Uttar Pradesh State Universities (Third Amendment) Ordinance, 1994 are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,
N. K. NARANG,
Sachiv.
No. (2) XVII V/1-1 (KA)-1-1995

Dated Lucknow, February 17, 1995

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Sanshodhan) Adhiniyam, 1995 (Uttar Pradesh Adhiniyam Sankhya 4 of 1995) as passed by the Uttar Pradesh Legislature and assented to by the Governor on February 15, 1995.

THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1995

(Ex. U. P. Act No. 4 of 1995)

(As passed by the Uttar Pradesh Legislature)

AN ACT

further to amend the Uttar Pradesh State Universities Act, 1973.

IT IS HEREBY enacted in the Forty-sixth Year of the Republic of India as follows:

1. (1) This Ordinance may be called the Uttar Pradesh State Universities (Amendment) Act, 1995.

(2) It shall be deemed to have come into force on December 17, 1994.

2. In section 81 of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act,—

(a) in sub-section (7), the following proviso shall be inserted at the end, hereby—

"Provided that in the case of a Professor or a Reader, the persons present to form the quorum must include at least two experts;"

(b) in sub-section (8), after clause (a), the following clause shall be inserted, namely:

"(aa) Where the failure of the Executive Council to take a decision within the period specified in the proviso to clause (a) is not attributable to any fault of the Executive Council, the Chancellor may require the Executive Council to take a decision within such time as the Chancellor may, from time to time, allow and may direct the Vice-Chancellor to call a meeting of the Executive Council for the purpose:

Provided that—

(i) if the Executive Council does not agree with the recommendations made by the Selection Committee, the Executive Council shall refer the matter to the Chancellor along with the reasons of such disagreement and his decision shall be final;

(ii) if the Executive Council does not take a decision within the time allowed by the Chancellor, the Chancellor shall decide the matter and his decision shall be final."

3. In section 50 of the principal Act, after sub-section (5), the following sub-sections shall be inserted, namely:

"(6) Notwithstanding anything contained in the foregoing subsections, the State Government may in order to implement any
decision taken by it on the basis of any suggestion or recommendation of the University Grants Commission or the State or national education policy with regard to the qualifications of the teachers, require the Executive Council to make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) or sub-section (1-A) within a specified time and if the Executive Council fails to comply with such requirement the State Government may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) or sub-section (1-A).

(7) The Executive Council shall have no power to amend or repeal the Statutes made by the State Government under sub-section (6) or to make new or additional Statutes inconsistent with such Statutes."

4. (1) The Uttar Pradesh Universities (Fourth Amendment) Ordinance, 1994 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,

N. K. NARANG,

Pramukh Sahich.


Repeal and savings.

(3629) 1995-850 (कैश)।
In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vidyapeethya (Dwitiya Sansodhan) Adniniyam, 1995 (Uttar Pradesh Adniniyam Sankhya 14 of 1995) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 4, 1995:

THE UTTAR PRADESH STATE UNIVERSITIES (SECOND AMENDMENT) ACT, 1995

[U. P. Act No. 14 of 1995]

(As passed by the Uttar Pradesh Legislature)

AN ACT

further to amend the Uttar Pradesh State University Act, 1973.

IT IS HEREBY enacted in the forty-sixth year of the Republic of India, as follows:

1. (1) This Act may be called the Uttar Pradesh State Universities (Second Amendment) Act, 1995.

(2) It shall be deemed to have come into force on February 25, 1995.

2. In section 9 of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act, after clause (f), the following clause shall be inserted, namely:

"(ff) the Controller of Examinations, if any, appointed;"
3. In section 16 of the principal Act,—

(a) in sub-section (4) for the words "the Academic Council, the Admissions Committee and the Examinations Committee", the words "the Academic Council and the Admissions Committee" shall be substituted;

(b) sub-section (5) shall be omitted.

4. After section 16 of the principal Act, the following section shall be inserted, namely:—

"16-A. (1) This section applies only to the Universities of the Controller of Examinations referred to in sub-section (4) of section 16, of which the Controller of Examinations is an ex-officio member, and with respect to examinations held in such universities the Registrar shall be the Controller of Examinations for the purposes of this Act.

(2) The Controller of Examinations shall have all the powers of the Registrar.

(3) The Controller of Examinations shall be appointed by the State Government upon such terms and conditions as may be prescribed by the Statutes and Ordinances of the University, and he shall be ex-officio member of the Examinations Committee of the University.

(4) The Controller of Examinations shall be responsible for the due prosecution of the records pertaining to the work of the University, and he shall also perform such other duties as may be prescribed by the Statutes and Ordinances or required, from time to time, by the Executive Council or the Vice-Chancellor but he shall not, by virtue of this sub-section, be entitled to vote. He shall, however, be entitled to vote in the election of the Vice-Chancellor, the production of such return or the furnishing of such information as may be necessary for the discharge of his duties.

(5) The Controller of Examinations shall have administrative control over the employees working under him and he shall have all the powers of the Registrar.

(6) Subject to the supervision of the Examinations Committee, the Controller of Examinations shall conduct the examinations and make all other arrangements therefor and be responsible for the due conduct of all processes connected therewith.

(7) The Controller of Examinations shall not be entitled to receive any remuneration for any work done in the University or University by reason of his duties as the Controller of Examinations, except in accordance with the orders of the State Government.

(8) While the Controller of Examinations is for any reason unable to act or the office of Controller of Examinations is vacant, all the duties of the office shall be performed by such person as may be appointed by the Vice-Chancellor, until the Controller of Examinations resumes his duties or, as the case may be, the vacancy is filled."}

5. In section 18 of the principal Act, for the words "Finance Officer and the Registrar" the words "Finance Officer, the Registrar and the Controller of Examinations, if any appointed," shall be substituted.

6. In section 20 of the principal Act,—

(a) in sub-section (1), after clause (g) the following clause shall be inserted, namely:—

"(h) one person, from amongst the reputed industrialists who have made a valuable contribution in the field of higher education to be nominated by the State Government."
(b) in sub-section (2), in clause (iii) for the words and letters “clause (g)” the words and letters “clause (g) or clause (h)” shall be substituted;

(c) in sub-section (3), after the words and letters “or clause (g)” the words and letter “or clause (h)” shall be inserted.

7. In section 26 of the principal Act, in sub-section (1), after clause (c), the following clause shall be inserted, namely:—

“(cc) the Controller of Examinations;”

(1) The Uttar Pradesh State Universities (Amendment) Ordinance, 1995 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By Order,

N. K. NARANG,

Pramukh Sachiv.
सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेश शासन द्वारा प्रकाशित

अराधारण

विधायी परिषिद्धः

भाग-1; खण्ड (क)

(उत्तर प्रदेश बीमिसिव)

लखनऊ, शानिवार, 6 जानवरी, 1996

नो 16, 1917 शक संवत्

Uttar Pradesh Sarkar
Vidhavi Anubhag-1
No. 33/XIII-V-I-1 (KA)-43-1996
Dated, Lucknow January 6, 1996

NOTIFICATION

MISCELLANEOUS

The following President’s Act enacted on January 6, 1996 is published for general information:

THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1996

(President’s Act No. 4 of 1996)

Elected by President in the Forty-Sixth Year of the Republic of India

AN ACT

Further to amend the Uttar Pradesh State Universities Act, 1973.

In exercise of the powers conferred by section 3 of the Uttar Pradesh State Legislature (Delegation of Powers) Act, 1995, the President is pleased to enact as follows:

1. (1) This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 1996.
(2) The provisions of clause (a), (b) and (d) of section 2 and section 3, section 6, clause (a) of section 7, sections 8, 9, 10, clause (a) of section 11, and clause (b) of section 12, shall be deemed to have come into force on July 11, 1995, the provisions of clause (e) of section 4 shall be deemed to have come into force on August 31, 1995, the provisions of clause (c) of section 2, clauses (a) and (b) of section 4, section 5, clause (b) of section 7, clause (d) of section 16, and clause (a) of section 12, shall be deemed to have come into force on September 23, 1995 and the remaining provisions shall come into force at once.

2. In section 2 of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act,—

(a) after clause (5-A) the following clause shall be inserted namely:

"(5-B) 'Central Board of Studies' means the Central Board of Studies referred to in section 18-B;"

(b) after clause (6), the following clause shall be inserted, namely:

"(6-A) 'Co-ordination Council' means the Co-ordination Council constituted under section 18-A;"

(c) in clause (8) after the word "Agra" the words "which shall from September 24, 1995 be called Doctor Bhimrao Ambekar University, Agra" and after the word "Kanpur" the words "which shall from September 25, 1994 be called Shri Shahu Ji Maharaj University, Kanpur" shall be inserted.

(d) after clause (9), the following clause shall be inserted, namely:

"(9-A) 'Foundation course' means a course of greater awareness of oneself and of the social, cultural and natural environment."

3. In section 4 of the principal Act,—

(a) in sub-section (1-A), in clause (b), for the words and figures "which shall with effect from June 18, 1994 be called the Doctor Ram Manohar Lohia University, Faizabad," the following words and figures shall be substituted, namely:

"which shall be called the Doctor Ram Manohar Lohia University, Faizabad with effect from June 18, 1994, and the Doctor Ram Manohar Lohia Avadh University, Faizabad with effect from July 11, 1995;"

(b) in sub-section (2), after the words "this Act" the words "which shall be called Mahatma Gandhi Kashi Vidyapith, Varanasi with effect from July 11, 1995" shall be inserted.

4. In section 5 of the principal Act,—

(a) in sub-section (4) for the words "Kanpur University", the words "Shri Shahu Ji Maharaj University, Kanpur" shall be substituted;

(b) in sub-section (5) for the words: "University of Agra or the Kanpur University", the words: "Doctor Bhimrao Ambekar University, Agra or Shri Shahu Ji Maharaj University, Kanpur" shall be substituted;

(c) after sub-section (5), the following sub-section shall be inserted, namely:

"(6) Notwithstanding anything contained in sub-section (1) or sub-section (1) of section 17, the institutions established or proposed to be established for imparting education or instruction in Western Medical Science as defined in the Indian Medical Degrees Act, 1916, engineering, technology, management anywhere in Uttar Pradesh may, subject to such directions as may be issued by the State Government in this behalf, be affiliated to any University.";

5. In section 7-A of the principal Act, for the words "the University of Agra or the Kanpur University", the words "Doctor Bhimrao Ambekar University, Agra or Shri Shahu Ji Maharaj University, Kanpur" shall be substituted.
5. In the principal Act, after Chapter IV, the following Chapter shall be inserted, namely:

"CHAPTER IV-A"

CO-ORDINATION COUNCIL AND CENTRAL BOARD OF STUDIES

18-A. (1) There shall be a Co-ordination Council which shall consist of the Chancellor as its Chairman, and the following other members, namely:

(i) the Vice-Chancellor of the Universities;
(ii) the Chairman of the Uttar Pradesh State Council of Higher Education;
(iii) the Secretary to the State Government in the Judicial Department;
(iv) the Secretary to the State Government in the Finance Department;
(v) the Secretary to the Governor;
(vi) the Secretary to the State Government in the Higher Education Department who shall be ex-officio of the Co-ordination Council.

(2) Subject to the recommendations of, or guidelines issued by, the University Grants Commission, the powers and functions of the Co-ordination Council shall be as follows, namely:

(a) to recommend common courses of study for a Bachelor's Degree;
(b) to recommend in respect of the constitution of a Central Board of Studies for the foundation course or for each subject or group of subjects;
(c) to recommend ways and means of co-operation in academic programmes amongst the Universities;
(d) to consider and recommend matters of common interest to the Universities.

(3) The Co-ordination Council shall meet at Lucknow or at such other place and at such intervals as the Chancellor may determine.

18-B. (1) There shall be Central Board of Studies for the foundation course or such other subjects or group of subjects as the Chancellor may, on the recommendation of the Co-ordination Council, by order direct.

(2) The Central Board of Studies for the foundation course shall consist of:

(i) one teacher from each University not below the rank of a Reader or a Principal of an affiliated or associated college, nominated by the Vice-Chancellor; and
(ii) five educationists who are on the Eminent Professor's list of the University Grants Commission nominated by the Chancellor on the recommendation of the Co-ordination Council.

(3) The Central Board of Studies or other subject or group of subjects shall consist of:

(i) the Convener, Board of Studies of each University in respect of the subject or group of subjects for which the Central Board of Studies is to be constituted:

Provided that if a University does not have a Board of Studies in the subject or group of subjects, the Vice-Chancellor may nominate any teacher not below the rank of a Reader in the University or a Principal of an affiliated or associated college;

(ii) one Head of the Department in an affiliated or associated college nominated by the Chancellor, teaching the subject up to the post graduate level;

(iii) one Head of Department in an affiliated or associated college nominated by the Chancellor, teaching the subject up to the degree level;
(iv) three experts on the subject who are on the Eminent Professor’s list of the University Grants Commission, nominated by the Chancellor on the recommendation of the Co-ordination Council; and

(v) two other experts on the subject from outside the State nominated by the Chancellor.

(4) The Chancellor shall nominate the Chairman of the Central Board of Studies—

(i) for Foundation course from amongst the members referred to in clause (i) of sub-section (2), and

(ii) for other subject or group of subjects, from amongst the members referred to in clauses (i) and (ii) of sub-section (3).

(5) The constitution of the Central Board of Studies and the nomination of the Chairman and the members thereon, other than ex-officio members, shall be notified by the State Government.

(6) The term of the Central Board of Studies shall be three years from the date of notification referred to in sub-section (5) and the term of the Chairman and the members shall be co-terminus with it:

Provided that the term of office of a member nominated to fill a casual vacancy shall be for the remainder of his predecessor’s term.

(7) Subject to the recommendations of, or guidelines issued by, the University Grants Commission, the functions of the Central Board of Studies shall be as follows, namely:

(a) subject to the recommendations of the Co-ordination Council and the approval of the Chancellor, to prescribe the courses of study and examinations, and the academic calendar, and to recommend textbooks and other books for undergraduate level;

(b) to consider and report on any matter referred to it by the Co-ordination Council, or the Chancellor; and

(c) to perform such other functions consistent with this Act within such time as the Chancellor may, by an order in writing, require it to perform.

(8) In carrying out its functions, the Central Board of Studies may consult such experts also who are not its members.

(9) The recommendations of the Central Board of Studies approved by the Chancellor shall come into force in respect of all Universities in the State with effect from the date as may be specified by the Chancellor.

(10) The Chancellor may at any time suspend, modify or amend any decision of the Central Board of Studies on the ground that it does not fulfil the objectives set out in this section and may direct such Board to consider the matter afresh.

18-C. The Uttar Pradesh State Council of Higher Education constituted under the Uttar Pradesh State Council of Higher Education Act, 1995, shall provide secretarial assistance to the Co-ordination Council and the Central Boards of Studies.
of Gorakhpur, Kuneran, Rohilkhand and Bundelkhand and the Doctor Bhimrao Ambedkar University, Agra the Shahu Ji Maharaj University, Kanpur, Hemvati Narain Ranchi Goraksha University, the Charan Singh University, Meerut and the Doctor Ram Manohar Lohia Avadh University, Faizabad” shall be substituted.

8. In section 26 of the principal Act,—

(a) in sub-section (1) after clause (a), the following clause shall be inserted, namely:—

“((aa) the Secretary to the State Government in the Higher Education Department;

(b) in sub-section (1), as so amended, the following sub-section shall be inserted, namely:

“(1-A) A member referred to in clause (aa) or clause (aaa) of sub-section (1) may, instead of attending any meeting of the Finance Committee himself, depute an officer not below the rank of a Joint Secretary to the State Government and an officer so deputed shall also have the right to vote.”;

(c) after sub-section (3), the following sub-section shall be inserted, namely:

“(4) Unless a proposal having financial implication has been recommended by the Finance Committee, the Executive Council shall not take a decision thereon, and if the Executive Council disagrees with the recommendations of the Finance Committee, it shall refer the proposal back to the Finance Committee with reasons for the disagreement and if the Executive Council again disagrees with the recommendation of the Finance Committee the matter shall be referred to the Chancellor whose decision thereon shall be final.”.

9. In section 31-A of the principal Act, for the words, “a Lecturer or Reader in the University substantially appointed under section 31”, the word “a Lecturer in the University appointed under section 31, or a Reader in the University substantially appointed under section 31 or promoted under this section” shall be substituted.

10. Section 72-D of the principal Act shall be re-numbered as sub-section (1) thereof and after sub-section (1) as so re-numbered, the following sub-section shall be inserted, namely:—

“(2) With effect from July 11, 1995 any reference to the University of Avadh, or to the Doctor Ram Manohar Lohia University, Faizabad, in this Act or any rules, Statutes, Ordinance, statutory instruments or any other law for the time being in force or in any document or proceedings shall be construed as a reference to the Doctor Ram Manohar Lohia Avadh University, Faizabad.”.

11. (a) After section 72-D of the principal Act, the following section shall be inserted, namely:—

“72-E. With effect from July 11, 1995 any reference to the Kashi Vidyapith in this Act or any rules, statutes, Transitory provision on the name of the Kashi Vidyapith for the time being in force or in any document or proceedings shall be construed as a reference to the Mahatma Gandhi Kashi Vidyapith, Varanasi.”;

(b) as so inserted, the following section shall be inserted, namely:—

“72-F. With effect from September 24, 1995 any reference to the University of Agra and Kanpur in this Act or any rules, Statutes, Ordinance, statutory instruments or any other law for the time being in force in any document or proceedings shall be construed as a reference to Doctor Bhim Rao Ambedkar University, Agra and Sri Shahuji Maharaj University, Kanpur respectively.”.
12. In the Schedule to the principal Act, in Column 2,—

(a) against serial number 3, for the words “the University of Agra” the words “Doctor Bhimnath Ambedkar University, Agra,” and against serial number 5, for the words “The University of Kanpur” the words “Shri Shah Jee Maharaj University, Kanpur” shall be substituted;

(b) against Serial number 10, for the words “Doctor Ram Manohar Lohia University, Faizabad”, the words “Doctor Ram Manohar Lohia Awadh University, Faizabad” shall be substituted.

13. (1) The Uttar Pradesh State Universities (Second Amendment) (Second) Ordinance, 1995 and the Uttar Pradesh State Universities (Third Amendment) Ordinance, 1995 are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the Ordinances referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of this Act.

SHANKER DAYAL SHARMA,
President.

K. L. MOHANPURIA,
Secretary to the Government of India.

Reasons for the enactment

With a view to ensuring standards of higher education, the State Government decided to introduce the principle of “one curriculum-one examination” in the State Universities pertaining to general studies. With this aim in view a high level Committee, consisting of Vice-Chancellors of seven Universities and experts was constituted by the State Government. After the consideration of the recommendations of the said Committee, and for accomplishing the said object it was decided to amend the Uttar Pradesh State Universities Act, 1973 to provide for the constitution of a “Co-ordination Council” under the Chairmanship of the Chancellor, the functions of which should to be recommend, for the Universities of general studies. common course of study for the first degree course, to recommend ways and means of co-operation and co-ordination in respect of academic programmes amongst the Universities and to make recommendations after consideration on matters of common interest of the Universities, and also to provide for the constitution of a Central Board of Studies for foundation course and other subjects or group of subjects which shall be constituted by the Chancellor on the recommendation of the said Co-ordination Council. Besides this, it was also decided to do away with the condition restricting teacher substantively appointed to the post of Lecturer or Reader to avail of the facility of personal promotion to the post of Reader or Professor respectively only once in his whole service after rendering a definite length of service and to change the names of “Doctor Ram Manohar Lohia University, Faizabad” and “Kashi Vidyapith, Varanasi” as “Doctor Ram Manohar Lohia Awadh University, Faizabad” and “Mahatma Gandhi Kashi Vidyapith, Varanasi” respectively.

2. To implement the said decisions, the Uttar Pradesh State Universities (Second Amendment) Ordinance, 1995 (U. P. Ordinance No. 28 of 1995) was promulgated by the Governor on July 11, 1995.
3. Certain amendments in the provisions of the said Ordinance were under consideration of the State Government and, therefore, the replacing Bill thereof could not be introduced in the session of the Uttar Pradesh State Legislature commencing on July 14, 1995. Since the provisions of the said Ordinance would have ceased to remain operative after August 25, 1995, it was decided to promulgate an Ordinance to keep the provisions of the said Ordinance in force with certain amendments such as to provide for the affiliation of the institutions established or proposed to be established for imparting education or instructions in Western Medical Science, engineering, technology or management anywhere in the Uttar Pradesh to any University subject to the directions issued in this behalf by the State Government, removal of the condition of the recommendation of the Co-ordination Council for the nomination of the Chairman of Central Board of Studies for foundation course and other Central Boards of Studies.

4. The Uttar Pradesh State Universities (Second Amendment) (Second) Ordinance, 1995 (U.P. Ordinance No. 33 of 1995) was, accordingly, promulgated by the Governor on August 25, 1995.

5. To perpetuate the memory of Bharat Ratna Dr. Bhimrao Ambedkar, an able son of the country, jurist and social reformer and Shri Shahu Ji Maharaj, a famous social worker, it was decided to change the names of the University of Agra and Kanpur University as “Doctor Bhimrao Ambedkar University, Agra” and “Shri Shahu Ji Maharaj University, Kanpur” respectively.

6. To implement the said decision, the Uttar Pradesh State Universities (Third Amendment) Ordinance, 1995 (U. P. Ordinance No. 37 of 1995) was promulgated by the Governor on September 23, 1995.

7. The President issued a proclamation on the 18th October, 1995 under Article 356 of the Constitution, in relation to the State of Uttar Pradesh, declaring, inter alia, that the powers of Legislature of the State shall be exercised by or under the authority of Parliament. Parliament has, under Article 357(1)(a) of the Constitution, now conferred on the President, the powers of the Legislature of the State of Uttar Pradesh to make laws vide the Uttar Pradesh State Legislature (Delegation of Powers) Act, 1995 (2 of 1996).

8. The said Ordinances could not be replaced by an Act and the Ordinance is expiring on 7th January, 1996. It is, therefore, decided that the said Ordinance shall be replaced by a President’s Act.

9. Under the proviso to sub-section (2) of section 3 of the Uttar Pradesh State Legislature (Delegation of Powers) Act, 1995 (2 of 1996) the President shall, before enacting any President’s Act, consult a Committee constituted for the purpose consisting of the members of both the Houses of Parliament. As the said Committee has yet not been constituted and the matter is very urgent, it is proposed to enact the measure without reference to the said Committee.

P. R. DASGUPTA,

Secretary to the Government of India.

By order,

R. D. MATHUR,
Pramukh Sachiv.
THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1997

[U.P. ACT NO. 12 OF 1997]

(As passed by the U. P. Legislature)

AN ACT

further to amend the Uttar Pradesh State Universities Act, 1973.

IT IS HEREBY enacted in the Forty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 1997.

2. In section 2 of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act, in clause (8), for the words “which shall from September 24, 1995 be called Shri Shahu Ji Maharaj University, Kanpur” the following words shall be substituted, namely:—

“which shall be called Shri Shahu Ji Maharaj University, Kanpur with effect from September 24, 1995 and Chhatrapati Shahu Ji Maharaj
University, Kanpur with effect from the date of commencement of the Uttar Pradesh State Universities (Amendment) Act, 1997."

3. In sections 5, 7-A and 20 of the principal Act, for the words "Shri Shahu Ji Maharaj University, Kanpur," wherever occurring, the words "Chhatrapati Shahu Ji Maharaj University, Kanpur" shall be substituted.

4. Section 72-F of the principal Act shall be re-numbered as sub-section (1) thereof and after sub-section (1) as so re-numbered the following sub-section shall be inserted, namely:

"(2) With effect from the date of commencement of the Uttar Pradesh State Universities (Amendment) Act, 1997, any reference to the Kanpur University, or to Shri Shahuji Maharaj University, Kanpur in this Act or any rules, Statutes, Ordinance, statutory instruments or any other law for the time being in force or in any document or proceedings shall be construed as a reference to Chhatrapati Shahujji Maharaj University, Kanpur."

5. In the Schedule to the principal Act, in column 2, against serial number 5, for the words "Shri Shahuji Maharaj University, Kanpur", the words "Chhatrapati Shahu Ji Maharaj University, Kanpur" shall be substituted.

By order,
R. D. MATHUR,
Pramukh Sachiv.
No. 1255 (2)/XVII-V-1—1 (KA) 31/1997

Dated Lucknow : August 16, 1997

IN pursuance of the provisions of clause (3) of article 348 of the Constitution, of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Dwitiya Sansodhan) Adhiniyam, 1997 (Uttar Pradesh Adhiniyam Sankhya 18 c 1997) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 16, 1997.

THE UTTAR PRADESH STATE UNIVERSITIES (SECOND AMENDMENT) ACT, 1997

(U.P. Act No. 18 of 1997)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh State Universities Act, 1973

IT IS HEREBY enacted in the Forty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Uttar Pradesh State Universities (Second Amendment) Act, 1997.
2. In section 2 of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act, in clause (8) after the word "Gorakhpur" the words "which shall with effect from the date of the commencement of the Uttar Pradesh State Universities (Second Amendment) Act, 1997 be called Deen Dayal Upadhyaya, Gorakhpur University, Gorakhpur" shall be inserted.

3. In section 4 of the principal Act, in sub-section (1-A), in clause (c), after the words "at Bareilly" the words "which shall with effect from the date of the commencement of the Uttar Pradesh State Universities (Second Amendment) Act, 1997 be called Mahatma Jyotiba Phule Rohilkhand University, Bareilly" shall be inserted.

4. After section 72-F of the principal Act, the following section shall be inserted, namely:—

"72-G With effect from the date of the commencement of the Uttar Pradesh State Universities (Second Amendment) Act, 1997 any reference to the University of Gorakhpur and the University of Rohilkhand in this Act, or any rules, Statutes Ordinances, statutory instruments or any other law for the time being in force or in any document or proceedings shall be construed as a reference to Deen Dayal Upadhyaya, Gorakhpur University, Gorakhpur and Mahatma Jyotiba Phule Rohilkhand University, Bareilly respectively."

5. In the Schedule to the principal Act, in column 2,—

(a) against serial number 4, for the words "The University of Gorakhpur" the words "Deen Dayal Upadhyaya, Gorakhpur University, Gorakhpur" shall be substituted;

(b) against serial number 11, for the words "The University of Rohilkhand" the words "Mahatma Jyotiba Phule Rohilkhand University, Bareilly" shall be substituted.

By order,
R. D. MATHUR,
Pranukh Sachiv.
No. 296 (2)/XVII-V-1—1(KA)-33-1997

Dated Lucknow, February 13, 1998

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Sanshodhan) Adhiniyam, 1998 (Uttar Pradesh Adhiniyam Sankhya 9 of 1998) as passed by the Uttar Pradesh Legislature and assented to by the Governor on February 12, 1998.

THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1998

(U.P. Act No. 9 of 1998)

[As passed by the Uttar Pradesh Legislature]

AN ACT

further to amend the Uttar Pradesh State Universities Act, 1973

IT IS HEREBY enacted in the Forty-ninth Year of the Republic of India as follows:-

1. (1) This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 1998.

   (2) Sections 2, 4, 5 and 6 shall be deemed to have come into force on September 12, 1997 and the remaining provisions shall come into force at once.

2. After section 31-A of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act, the following section shall be inserted, namely:-

   “31-AA. (1) Notwithstanding anything contained in any other provision of this Act, an Assistant Professor promotion to the Post of Associate Professor substantively appointed in the Faculty of Professor and Medicine or Dental Sciences of the University of Lucknow or an Associate Professor, substantively appointed, or promoted under this section, in the said faculties of the said University, who has put in such length of service and possesses such qualifications as may be prescribed, may be given personal promotion respectively to the post of Associate Professor or Professor.”

   (2) The promotion under sub-section (1) shall be given on the recommendation of the Selection Committee, constituted under clause (a) of sub-section (4) of section 31, in such manner and subject to such conditions as may be prescribed.

Explanation:—With regard to the Faculty of Medicine or Dental Sciences of the University of Lucknow, the word “Reader” referred to in clause (a) of sub-section (4) of section 31 shall be construed as “Associate Professor.”
3. After section 31-AA of the principal Act, the following section shall be inserted and be deemed always to have been inserted, namely:

"31-B. (1) Notwithstanding anything to the contrary contained in any other provision of this Act or in the Special provision made in the Uttar Pradesh Higher Education Services Commission Act, 1980, appointment to the post of principal or teacher at the Motilal Nehru Regional Engineering College, Allahabad shall be made in accordance with the rules and bye-laws of the Motilal Nehru Regional Engineering College Society, Allahabad.

(2) All appointments made before the commencement of the Uttar Pradesh State Universities (Amendment) Act, 1998 in accordance with the provisions of sub-section (1) shall be deemed to have been made under the said sub-section as if the provisions of the said sub-section were in force at all material times.

4. In section 50 of the principal Act, for sub-section (e), the following sub-section shall be substituted, namely:

"(e) Notwithstanding anything contained in the foregoing sub-section the State Government may in order to implement any decision taken by it in the interest of learning, teaching or research or for the benefit of teachers, students or other staff or on the basis of any suggestion or recommendation of the University Grants Commission or the State or national education policy with regard to the qualifications of the teachers, require the Executive Council to make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) or sub-section (1-A) within a specified time and if the Executive Council fails to comply with such requirement the State Government may, with the assent of the Chancellor, make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) or sub-section (1-A)."

5. In section 57 of the principal Act in clause (ii) for the words "the Statute or Ordinance" the words "the Statute or Ordinances or has failed to comply with the orders of the Director of Education (Higher Education) made on the basis of the recommendation of the Uttar Pradesh Higher Education Services Commission under the Uttar Pradesh Higher Education Services Commission Act, 1980," shall be substituted.

6. In section 65 of the principal Act, in sub-section (2) the words "and thereafter till his successor is duly appointed" shall be omitted.

7. (1) The Uttar Pradesh State Universities (Amendment) Ordinance, 1997 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.

By order,

R. D. MATHUR,
Pramukh Sache.

O. P. Ordinance no. 9 of 1997

Pareekh 
Prasad Shri Prasad Prasad, 231 विभाग -- (3413) -- 1988-89 (संकेत)
No. 748 (2)/XVII-V-1—1 (KA) 3-1999

Dated Lucknow, March 24, 1999

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Sanskodhan) Adhiniyam, 1999 (Uttar Pradesh Adhiniyam Sankhya 11 of 1999) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 24, 1999.

THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 1999

[U. P. ACT NO. 11 OF 1999]

(As passed by the Uttar Pradesh Legislative Assembly)

AN

ACT

further to amend the Uttar Pradesh State Universities Act, 1973.

IT IS HEREBY enacted in the Fiftieth Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 1999.

   (2) It shall be deemed to have come into force on January 8, 1999.
2. In section 4 of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act, in sub-section (1-A), for clause (d), the following clause shall be substituted, namely:—

"(d) a University to be known as Purvanchal University at Jaunpur, which shall, with effect from the date of commencement of the Uttar Pradesh State Universities (Amendment) Act, 1999, be called "Vir Bahadur Singh Purvanchal University, Jaunpur.,".

3. After section 72-G of the principal Act, the following section shall be inserted, namely:—

"72-H. With effect from the date of commencement of the Uttar Pradesh State Universities (Amendment) Act, 1999 any reference to the Purvanchal University in this Act or any rules, Statutes, Ordinances, statutory instruments, or any other law for the time being in force or in any document or proceeding shall be construed as a reference to Vir Bahadur Singh Purvanchal University, Jaunpur."

4. In the Schedule to the principal Act, in Column 2, against serial no. 12, for the words "The Purvanchal University", the words "Vir Bahadur Singh Purvanchal University, Jaunpur" shall be substituted.

5. (1) The Uttar Pradesh State Universities (Amendment) Ordinance, 1999 is hereby repealed. Amendment of the Schedule

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance, referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act as if the provisions of this Act were in force at all material times. Repeal and saving

By order,
Y. R. TRIPATHI,
Chief Secretary.
No. 863 (2)/XVII-V-1—1³(KA)-18-1999

Dated Lucknow, April 3, 1999

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Dwitiya Sanshodhan) Adhiniyam, 1999 (Uttar Pradesh Adhiniyam Sankhya 20 of 1999) as passed by the Uttar Pradesh Legislature and assented to by the Governor on April 3, 1999.

THE UTTAR PRADESH STATE UNIVERSITIES (SECOND AMENDMENT) ACT, 1999
(U. P. ACT No. 20 OF 1999)
[As Passed by the Uttar Pradesh Legislature]

AN

ACT

Further to amend the Uttar Pradesh State Universities Act, 1973

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

1. This Act may be called the Uttar Pradesh State Universities (Second Amendment) Act, 1999.
2. In section 20 of the Uttar Pradesh State Universities Act, 1973 sub-section (1) for clause (d) the following clauses shall be substituted, namely:

"(d) in the case of Universities of Kumaun and Garhwal and the Doctor Bhimrao Ambekar University, Agra, the Chhatrapati Shahu Ji Maharaj University, Kanpur, the Banaras Hindu University, Varanasi, the Chaudhary Charan Singh University, Meerut, the Doctor Ram Manohar Lohia Avadh University, Faizabad and the Mahatma Jyotiba Phule Rohilkhand University, Bareilly,—

(i) one Professor other than the Pro-Vice-Chancellor or a Dean referred to in clause (a) above, one Reader and one Lecturer of the University to be selected in the manner prescribed;

(ii) three Principals and two other teachers of affiliated colleges, to be selected in the manner prescribed;

and in the case of any other University notified under sub-section (1) of section 37, four Principals and four other teachers of affiliated colleges to be selected in the manner prescribed;

(dd) in the case of the Deen Dayal Upadhyaya Gorakhpur University, Gorakhpur,—

(i) one Professor other than the Pro-Vice-Chancellor or a Dean referred to in clause (a) above, one Reader and one Lecturer of the University to be selected in the manner prescribed;

(ii) one representative of Maharana Pratap Shiksha Parishad, Gorakhpur to be elected by the said parishad from amongst its members;

(iii) three Principals and two other teachers of affiliated colleges, to be selected in the manner prescribed;"

By order,
G. S. PANDDEY,
Vishesh Sachiv.
No. 862 (2)/XVII-V-1-1 (KA) 17-1999

Dated Lucknow, April 3, 1999

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Tritiya Sanshodhan) Adhiniyam, 1999 (Uttar Pradesh Adhiniyam Sankhya 21 of 1999) as passed by the Uttar Pradesh Legislature and assented to by the Governor on April 3, 1999.

THE UTTAR PRADESH STATE UNIVERSITIES
(THIRD AMENDMENT) ACT, 1999
(U.P. ACT No. 21 of 1999)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

further to amend the Uttar Pradesh State Universities Act, 1973.

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

1. (1) This Act may be called the Uttar Pradesh State Universities (Third Amendment) Act, 1999.

2. In section 31-AA of the Uttar Pradesh State Universities Act, 1973, after sub-section (2) the following sub-section shall be inserted, namely:

“(3) Notwithstanding anything contained in sub-section (1) or sub-section (2) or in any other provisions of this Act, every person who was promoted to the post of Associate Professor or Professor in a Faculty referred to in sub-section (1) in accordance with the order No. 842/15-10-97—11 (7)/96, dated April 11, 1997, issued by the State Government and is continuing in service as such on the date of the commencement of the Uttar Pradesh State Universities (Third Amendment) Act, 1999 shall be deemed to have been promoted to such post under sub-section (1) from the date of such promotion.”

By order,

G. S. PANDEY,
Vishesh Sakhya.

फी ० एस ० यू ० फी ० २ २० विश ० ० (१८) --१९९९ --८५० (मेक ०)
No. 91 (2)/XVII-V-1—1 (KA)-21-2003-T.C.

Dated Lucknow, January 22, 2004

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Sanshodhan) Adhiniyam, 2003 (Uttar Pradesh Adhiniyam Sankhya 1 of 2004) as passed by the Uttar Pradesh Legislature and assented to by the Governor on January 21, 2004.

THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 2003

(As passed by the Uttar Pradesh Legislature)

[U.P. Act no. 1 of 2004]

AN

ACT

further to amend the Uttar Pradesh State Universities Act, 1973.

IT IS HEREBY enacted in the Fifty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 2003.

(2) Section 2 to 6 shall be deemed to have come into force on July 11, 2003 section 7 shall be deemed to have come into force on January 21, 2000 and the remaining provisions shall come into force at once.

2. In section 2 of the Uttar Pradesh State Universities Act, 1973, hereinafter referred to as the principal Act, for clauses (18) and (19) the following clauses shall be substituted, namely:—

“(18) ‘Self finance course’ means a course with respect to which all financial liabilities shall be borne by the Management of an associated or affiliated college or by a University.

(19) ‘teacher’ in relation to the provisions of this Act except Chapter XI-A, means a person employed in a University or in an institute or in a constituent or affiliated or associated college of a University for imparting instructions or guiding or conducting research in any subject or course approved by that University and includes a Principal or Director.”

3. In section 20 of the principal Act,—

(a) in sub-section (1) after clause (c) the following clause shall be inserted, namely:—

“(cc) two members from amongst the Professors or Readers belonging to the Scheduled Castes or Scheduled Tribes and two members from amongst the Professors or Readers belonging to other backward classes of citizen.”
(b) in sub-section (2), in clause (i) for the words and letters "clauses (c), (d) and (e)" the words "clauses (c), (cc), (d) and (e)" shall be substituted.

4. In section 25 of the principal Act, in sub-section (2) the following proviso shall be inserted at the end, namely:-

"Provided that if there is no member belonging to the Scheduled Castes or Scheduled Tribes or the other backward classes of citizen in the Academic Council constituted under this sub-section, the Vice-Chancellor may nominate two members belonging to the Scheduled Castes or Scheduled Tribes and two members belonging to other backward classes of citizen from amongst the teachers of the University by rotation in the manner prescribed."

5. In section 37 of the principal Act,-

(a) In sub-section (2) the following provisos shall be inserted at the end, namely:-

"Provided that if in the opinion of the Chancellor, a college substantially fulfils the conditions of affiliation, the Chancellor may sanction grant of affiliation to that college or enlarge the privileges thereof in specific subjects for one term of a course of study on such terms and conditions as he may deem fit:

Provided further that unless all the prescribed conditions of affiliation are fulfilled by a college, it shall not admit any student in the first year of the course of study for which affiliation is granted under the foregoing proviso after one year from the date of commencement of such affiliation."

(b) after sub-section (9) the following sub-section shall be inserted, namely:-

"(10) notwithstanding anything to the contrary contained in any other provisions of this Act, a college, which has already been given affiliation to a University before the commencement of the Uttar Pradesh State Universities (Amendment) Act, 2003 in specific subjects for a specified period shall be entitled to continue the course of study for which admissions have already taken place but it shall not admit any student in the first year of such course of study without obtaining affiliation under sub-section (2)."

6. In section 60-E of the principal Act, for sub-section (1) the following sub-section shall be substituted, namely :-

"(1) the State Government shall be liable for payment of salaries against such posts of teachers and employees of every such college that was taken in grant-in-aid list by the State Government on or after March 31, 1975:

Provided firstly that the Director of Higher Education or an officer authorized by him to sanction grant-in-aid to the college has paid the salary against such posts within one year after the college was taken in grant-in-aid list:

Provided secondly that the posts in a grant-in-aid college which were created after the college was taken in grant-in-aid list with the permission of the Director, Higher Education or by the State Government and were duly filled with the approval of the Director of Higher Education or an officer authorized by him after March 31, 1975:"
Provided thirdly that the State Government shall not be liable for payment of salaries of teachers and employees of a college where permission to create posts was granted by the Director of Higher Education or by the State Government on the condition that the management of the respective college shall bear the liability of payment of salary against the posts so created:

Provided fourthly that the colleges in which affiliation for certain number of subjects of undergraduate and post graduate courses has been accorded by the Chancellor under self financing scheme, the State Government shall not be liable to pay salary of teachers and employees appointed in connection with imparting instruction in such course.”

7. After section 66 of the principal Act, the following section shall be inserted and be deemed to have been inserted on January 21, 2003, namely:—

“66-A. The State Government may issue such directions from time to time to a University on policy matters, not inconsistent with the provisions of this Act as it may deem necessary such direction shall be complied with by the University.”

8. (1) The Uttar Pradesh State Universities (Amendment) (Second) Ordinance, 2003 and the Uttar Pradesh State Universities (Second Amendment) Ordinance, 2003 are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinances referred to in sub-section (1) or by the Uttar Pradesh State Universities (Amendment) Ordinance, 2003, shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.

STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh State Universities Act, 1973 (President’s Act no. 10 of 1973) was enacted to amend and consolidate the law relating to certain Universities the said Act has been amended and re-enacted by U.P. Act no. 29 of 1974. Under the said Act the Universities have been authorised to admit a degree college which fulfils the prescribed conditions to the privileges of affiliation. The degree colleges were being admitted to the privileges of affiliation temporarily or permanently in accordance with the provisions of the said Act for the time being in force. The High Court of Judicature at Allahabad has in its order dated November 18, 2002 in writ petition no. 5881 (MB)/2002 committee of management Paramhans Degree College Bahraich Versus Chancellor and others held that the word ‘affiliation’ shall mean the permanent affiliation and not the temporary affiliation. The authority may before granting affiliation to a degree college inquire into such matters as they deem fit but the affiliation should be permanent and that the authority may at the time of inspection of degree colleges by virtue of affiliation withdraw the privileges of affiliation under sub-sections (2), (8) and (9) of section 37 of the said Act on account of non fulfillment of conditions of affiliation. Keeping in view of the said order of the High Court the said Act was required to be amended for making proper provision therefore it was, therefore, decided to amend the said Act of 1973 to define ‘self finance course’, to modify the definition of teacher, to give representation to
persons belonging to the Scheduled Castes, Scheduled Tribes and other backward classes of citizen in the Constitution of Executive Council and the Academic Council and to make proper provision with respect to the admission of degree colleges to the privileges of affiliation. The Uttar Pradesh State Universities (Amendment) Ordinance 2003. U.P. Ordinance no. 17 of 2003, was promulgates to implement the aforesaid decision.

The replacing bill of the aforesaid Ordinance could not be introduced in the last session of the State Legislature due to unavoidable reasons. Since the aforesaid Ordinance was to expire after October 13, 2003 it was decided to replace the aforesaid Ordinance by another Ordinance.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision the Uttar Pradesh State Universities (Amendment) Ordinance, 2003 (U.P. Ordinance no. 28 of 2003) was promulgates by the Governor on October 15, 2003.

After the promulgation of the aforesaid Ordinance no. 17 of 2003 it was decided to amend, the aforesaid Act with retrospective effect to validate the instructions issued by the State Government on January 21, 2000, September 1, 2003 and September 8, 2003 in respect of the conduct of elections of the Students Unions of the Universities and of the colleges and to provide for empowering the State Government to issue such instructions.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decisions the Uttar Pradesh State Universities (Second Amendment) Ordinance, 2003 (U.P. Ordinance no. 21 of 2003) was promulgated by the Governor on September 29, 2003.

This Bill is introduced to replace the aforesaid Ordinance no. 28 and 21 of 2003.

By order,

R. B. RAO.

Pramukh Sachiv.
NOTIFICATION

MISCELLANEOUS

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vishwavidyalaya (Sanskodhan) Adhiniyam, 2006 (Uttar Pradesh Adhiniyam Sankhya 28 of 2006) as passed by the Uttar Pradesh Legislature and assented to by the Governor on October 23, 2006:

THE UTTAR PRADESH STATE UNIVERSITIES (AMENDMENT) ACT, 2006

(U. P. ACT NO. 28 OF 2006)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

further to amend the Uttar Pradesh State Universities Act, 1973

IT IS HEREBY enacted in the Fifty-seventh Year of the Republic of India as follows:—

1. This Act may be called the Uttar Pradesh State Universities (Amendment) Act, 2006.

2. In section 38 of the Uttar Pradesh State Universities Act, 1973 hereinafter referred to as the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) This section shall apply to the University of Lucknow”.

3. In the Schedule to the principal Act, for entries at serial numbers 2 to 12, the following entries shall be substituted, namely:—

<table>
<thead>
<tr>
<th>No.</th>
<th>University</th>
<th>Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>Chaudhary Charan Singh University, Meerut</td>
<td>Baghpat, Buland Shahr, Gautam Buddha Nagar, Ghaziabad, Meeerut, Muzaffar Nagar and Saharanpur.</td>
</tr>
<tr>
<td>4.</td>
<td>Deen Dayal Upadhyaya, Gorakhpur University, Gorakhpur</td>
<td>Basti, Deoria, Gorakhpur, Kushi Nagar, Maharajganj, Sant Kabir Nagar and Siddharth Nagar.</td>
</tr>
<tr>
<td>6.</td>
<td>Doctor Ram Manohar Lohia Avadh University, Faizabad</td>
<td>Ambedkar Nagar, Bahraich, Balrampur, Bara Banki, Faizabad, Gonda, Pratapgarh, Shrawasti and Sultanpur.</td>
</tr>
<tr>
<td>7.</td>
<td>Mahatma Jyotiba Phule Rohilkhand University, Bareilly</td>
<td>Badaun, Bareilly, Bijnor, Jyotiba Phule Nagar, Moradabad, Pilibhit, Rampur and Shahjahanpur.</td>
</tr>
</tbody>
</table>
STATEMENT OF OBJECTS AND REASONS

Due to re-organization of the State of Uttar Pradesh and formation of new districts therein, the Kumaon University and Hemvati Nandan Bahuguna Garhwal University had become the part of the Uttarakhand State and on account of taking over by the Centre the administration of the Allahabad University, amendments in certain provisions of the Uttar Pradesh State Universities Act, 1973 regarding omission of the name of the said University from the provision of the said Act and determination of jurisdiction of State University had been needed for the last several years. It has, therefore, been decided to amend sub-section (1) of section 38 of the said Act and the Schedule thereto, to make the provisions thereof in accordance with the present position.

The Uttar Pradesh State Universities (Amendment) Bill, 2006 is introduced accordingly.

By order,
R. M. CHAUHAN,
Pramukh Sachiv.