



The Uttar Pradesh State Council of Higher Education Act, 1995

Act 22 of 1995

Keyword(s):

College, Council, Fund, Higher Education, Institution of Higher Education, Member, University Grants Commission

Amendment appended: 7 of 2014

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Dated Lucknow, August 25, 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 Uchcha Shiksha Parishad Adhiniyam, 1995 (Uttar Pradesh Adhiniyam Sankhya 22 of 1995) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 25, 1995;

**THE UTTAR PRADESH STATE COUNCIL OF HIGHER EDUCATION
ACT, 1995**

(U. P. ACT No. 22 OF 1995), *Amended by*

[As passed by the Uttar Pradesh Legislature] 30/2007

AN
ACT

to provide for the establishment of a State Council of Higher Education in the State of Uttar Pradesh and for matters connected therewith and incidental thereto.

WHEREAS the National Policy on Education, 1986 of the Government of India contains recommendations that State level planning and co-ordination of higher education shall be done through the State Council of Higher Education;

AND WHEREAS the University Grants Commission constituted a committee to make recommendations regarding the setting up of State Councils of Higher Education as per the aforesaid National Policy;

AND WHEREAS the said committee recommended that there is a pressing need for an effective machinery for promotion and co-ordination of higher Education at the State level and co-ordination of State level programmes with those of the University Grants Commission;

AND WHEREAS the University Grants Commission has laid down the guidelines for setting up of State Councils of Higher Education as recommended by the said Committee;

AND WHEREAS the State Government has accordingly decided to establish a State Council of Higher Education as recommended in the National Policy on Education of the Government of India and by the University Grants Commission;

NOW, THEREFORE, 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] Council of Higher Education Act, 1995.

Short title, commencement and application.

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

(3) It shall apply to all the Universities and Colleges to which the Uttar Pradesh State Universities Act, 1973 applies.

2. In this Act—

Definitions.

(a) "college" means any institution maintained or recognized by the University to provide for the teaching necessary for admission to a degree of the University and includes an affiliated college, an associated college, an autonomous college and a constituent college;

(b) "Council" means the Uttar Pradesh State Council of Higher Education established under section 3;

(c) "Fund" means the fund of the Council referred to in section 15;

(d) "higher education" means education, whether professional, technical or otherwise, leading to the obtaining of any degree or diploma from any University;

(e) "institution of higher education" means an institution conducting any course of study in higher education, which is approved as such by the State Government;

(f) "member" means a member of the Council and includes the Chairman and the Member-Secretary;

(g) "regulations" means the regulations made by the Council under this Act;

(h) "University Grants Commission" means the University Grants Commission established under section 4 of the University Grants Commission Act, 1956;

(i) a word or expression defined in the Uttar Pradesh State Universities Act, 1973 used, but not defined herein, shall have the same meanings as is assigned to it in that Act.

3. (1) There shall be established a Council by the name "the Uttar Pradesh State Council of Higher Education."

Establishment of Council of Higher Education.

(2) The Council shall be a body corporate.

(3) The headquarters of the Council shall be at Lucknow.

4. The Council shall consist of the following members, namely :—

Constitution of Council.

(a) a Chairman, to be appointed by the State Government from amongst eminent academicians, who is or has been a Vice-Chancellor or a senior administrative officer, serving or retired, not below the rank of Additional Secretary to the Government of India, having aptitude and experience in the field of education;

hms by 34/2007

Secretary to the State ... Member Secretary
"(aa) two Vice-Chairman to be nominated by the State Government to resolve the issues of the representatives of public."

hms by 34/2007

(a) the Principal Secretary to Government in the Department of Planning.

(e) the Secretary or any other officer of the University Grants Commission not below the rank of a Joint Secretary nominated by the Chairman of the University Grants Commission;

(f) the Director of Higher Education, Uttar Pradesh ... Member

- (g) the Director of Technical Education Uttar Pradesh; ... *Member*
- (h) three persons nominated by the State Government from amongst the Vice-Chancellors of the Universities; ... *Members*
- (i) not more than three persons nominated by the State Government from amongst eminent academicians each in the field of Education, Engineering and Law; ... *Members*
- (j) one person co-opted by the Council from amongst the Principals of Colleges. ... *Member*
- (k) one person co-opted by the Council from amongst reputed industrialists whose contribution to the cause of higher education is significant, ... *Member*

Temporary association of persons with the Council for particular purpose.

5. The Council may associate with itself for any particular purpose any person whose assistance or advice it may desire in carrying out its work. A person associated with the Council for any particular purpose shall have a right to take part in the discussions relevant to that purpose but shall not have a right to vote at a meeting of the Council.

Disqualification for membership of Council.

6. A person shall be disqualified for being appointed as Chairman or for being nominated as a member of the Council or for being such Chairman or nominated member, if—

- (a) he is of unsound mind;
- (b) he is an undischarged insolvent;
- (c) he has been sentenced for any offence involving moral turpitude, punishable under any law with imprisonment such sentence not having been annulled and a period of five years has not elapsed from the date of expiration of the sentence;
- (d) he is a paid officer or employee of the Council; or
- (e) he incurs such other disqualifications as may be prescribed by the State Government.

Terms and conditions of service of Chairman and nominated members.

7. (1) The Chairman shall hold office for a term of three years and the nominated members and the co-opted member shall hold office for a term of one year and shall be eligible for re-appointment or re-nomination or co-option for a further term of three years, or one year, as the case may be:

Provided that if a person has attained the age of 65 years, he shall not be eligible for appointment or re-appointment as a Chairman of the Council.

(2) The Chairman or the nominated member or, co-opted member may, by writing under his hand addressed to the State Government or the Council as the case may be, resign his office but he shall continue to hold office until his resignation is accepted by the State Government or, as the case may be, by the Council.

(3) Subject to the provisions of this section, the other terms and conditions of service of the Chairman and the nominated members shall be such as may be prescribed.

(4) The Chairman shall exercise such powers and perform such functions as may be prescribed.

Powers and duties of Member-Secretary.

8. The Member-Secretary shall exercise the powers and perform the functions conferred or imposed on him under this Act and such other powers and functions as may be prescribed.

Removal from membership of Council.

9. If, at any time, it appears to the State Government that the Chairman or a nominated member or the co-opted member has shown himself to be unsuitable for office or has been guilty of mis-conduct or neglect which renders his removal expedient, the State Government may, after giving him a reasonable opportunity to show cause, by notification, remove the Chairman or such nominated or co-opted member, as the case may be, from the office.



सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिशिष्ट
भाग-1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, मंगलवार, 04 मार्च, 2014

फाल्गुन 13, 1935 शक सम्वत्

उत्तर प्रदेश सरकार

विधायी अनुभाग-1

संख्या 333/79-वि-1-14-1(क) 5-2014

लखनऊ, 04 मार्च, 2014

अधिसूचना

दिविध

“भारत का संविधान” के अनुच्छेद 200 के अधीन राज्यपाल महोदय ने उत्तर प्रदेश राज्य उच्च शिक्षा परिषद् (संशोधन) विधेयक, 2014 पर दिनांक 04 मार्च, 2014 को अनुमति प्रदान की और वह (उत्तर प्रदेश अधिनियम संख्या 7 सन् 2014) के रूप में सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश राज्य उच्च शिक्षा परिषद् (संशोधन) अधिनियम, 2014

(उत्तर प्रदेश अधिनियम संख्या 7 सन् 2014)

[जैसा उत्तर प्रदेश विधान मण्डल द्वारा पारित हुआ]

उत्तर प्रदेश राज्य उच्च शिक्षा परिषद् अधिनियम, 1995 का अग्रतर संशोधन करने के लिए

अधिनियम

भारत गणराज्य के पैंसठवें वर्ष में निम्नलिखित अधिनियम बनाया जाता है:-

1-यह अधिनियम उत्तर प्रदेश राज्य उच्च शिक्षा परिषद् (संशोधन) अधिनियम, 2014 संक्षिप्त नाम

कहा जाएगा।

उत्तर प्रदेश
अधिनियम संख्या
22 सन् 1995 की
धारा 7 का
संशोधन

2-उत्तर प्रदेश राज्य उच्च शिक्षा परिषद् (संशोधन) अधिनियम, 1995 की धारा 7
उपधारा (1) में, परन्तुक निकाल दिया जायेगा।

उद्देश्य और कारण

उत्तर प्रदेश राज्य में राज्य उच्च शिक्षा परिषद् की स्थापना के लिए उत्तर प्रदेश राज्य उच्च शिक्षा परिषद् अधिनियम, 1995 (उत्तर प्रदेश अधिनियम संख्या 22, सन् 1995) अधिनियमित किया गया है। उक्त अधिनियम की धारा 7 उक्त परिषद् के अध्यक्ष और नाम-निर्दिष्ट सदस्यों की सेवा के निबन्धनों एवं शर्तों के सम्बन्ध में है। उक्त धारा की उपधारा (1) के परन्तुक में यह व्यवस्था दी गई है कि यदि व्यक्ति ने 65 वर्ष की आयु प्राप्त कर ली है तो वह परिषद् के अध्यक्ष के रूप में नियुक्ति या पुनर्नियुक्ति के लिए पात्र नहीं होगा। अतएव यह विनिश्चय किया गया है कि सक्षम एवं प्रख्यात शिक्षाविद् की सेवाएं दीर्घ काल तक प्राप्त करने की दृष्टि से उक्त परन्तुक को निकालने के लिए उक्त अधिनियम को संशोधित किया जाय।

तदनुसार उत्तर प्रदेश राज्य उच्च शिक्षा परिषद् (संशोधन) विधेयक, 2014 पुरःस्थापित किया जाता है।

आज्ञा से,
एस० बी० सिंह,
प्रमुख सचिव।

No. 333(2)/LXXIX-V-1-14-1(Ka) 5-2014

Dated Lucknow, March 04, 2014

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 Uchch Shiksha Parishad (Sanshodhan) Adhiniyam, 2014 (Uttar Pradesh Adhiniyam Sankhya 7 of 2014) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 04, 2014.

THE UTTAR PRADESH STATE COUNCIL OF HIGHER EDUCATION (AMENDMENT) ACT, 2014

(U.P. ACT NO. 7 OF 2014)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

further to amend the Uttar Pradesh State Council of Higher Education Act, 1995.

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

Short title

1. This Act may be called the Uttar Pradesh State Council of Higher Education (Amendment) Act, 2014.

Amendment
of section 7 of
UP Act no. 22
of 1995

2. In section 7 of the Uttar Pradesh State Council of Higher Education (Amendment) Act, 1995, in sub-section (1) the proviso shall be *omitted*.

STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh State Council of Higher Education Act, 1995 (U.P. Act no. 22 of 1995) has been enacted to provide for the establishment of a State Council of Higher Education in the State of Uttar Pradesh section 7 of the said Act deals with the terms and conditions of service of the Chairman and the nominated members of the said Council. The proviso to sub-section (1) of the said section provides that if a person has attained the age of 65 years, he shall not be eligible for appointment or re-appointment as the Chairman of the Council. With a view to obtaining the services of a capable eminent academician for a long time it has been decided to amend the said Act to omit the said proviso.

The Uttar Pradesh State Council of Higher Education (Amendment) Bill, 2014 is introduced accordingly.

By order,
S. B. SINGH,
Pramukh Sachiv.