

associated college maintained exclusively by the State Government or a local authority, the contribution or donation so received shall be utilised only for the purpose for which it was given to it and in the case of a college maintained exclusively by the State Government any cash contribution or donation shall be credited to the personal ledger account of such institution which shall be operated in accordance with the general or special orders of the State Government.

47. Halls, hostels and delegacy of the University.—(1) This section shall apply to the University of Lucknow, Allahabad, Gorakhpur and such other University the State Government may by notification specify.

(2) The halls and hostels of the University shall be—

- (a) those maintained by the University and named in the Statutes;
- (b) those recognised by the Executive Council on such general or special conditions as may be provided by the Ordinances.

(3) The warden and other staff of the halls and hostels shall be appointed in the manner provided by the Ordinances.

(4) The Executive Council shall have power to suspend or withdraw the recognition of a hall or hostel which is not maintained in accordance with the conditions referred to in clause (b) of sub-section (2) :

Provided that no such action shall be taken without giving to the management of such hall or hostel an opportunity of making a representation against the proposed action.

(5) There shall be a Delegacy to supervise the arrangements relating to the residence, health and welfare of students of the University not residing in or under the care of any constituent college or hall. The constitution, power and duties of the Delegacy shall be prescribed by the Statutes.

48. Examinations.—Subject to the provisions of this Act and the Statutes, the Examinations Committee shall direct the arrangements for the conduct of examinations.

CHAPTER IX

STATUTES, ORDINANCES AND REGULATIONS

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

- (a) the constitution, power and duties of the authorities of the University ;
- (b) the election, appointment and term of office of the members of the authorities of the University, including the continuance in

office of the first members, and the filling in of vacancies in their membership and all other matters relating to these authorities for which may be necessary to provide;

- (c) the powers and duties of the officers of the University;
- ¹[(d) the classification and recruitment (including minimum qualifications and experience) of Principals and other teachers of the University and of affiliated and associated colleges, the maintenance by them of their annual academic progress report, the rules of conduct to be observed by them and their emoluments and other conditions of service (including provisions relating to compulsory retirement);
- (e) the recruitment (including minimum qualifications and experience) and their emoluments and other conditions of service (including provisions relating to compulsory retirement) of persons appointed to other posts under the University];
- (f) the constitution of a pension or provident fund or the establishment of an insurance-scheme for the benefit of officers, teachers and other employees of the University;
- (g) the institution of degrees and diplomas;
- (h) the conferment of honorary degrees;
- (i) the withdrawal of degrees and diplomas, certificates and other academic distinctions;
- (j) the establishment, amalgamation, abolition and re organisation of Faculties;
- (k) the establishment of departments of teaching in the Faculties;
- (l) the establishment, abolition and reorganisation of halls and hostels maintained by the University;
- (m) the conditions under which colleges and other institutions may be admitted to the privileges of affiliation or recognition by the University and the conditions under which any such privilege may be withdrawn;
- (n) the recognition of the Management of any affiliated or associated college;
- ²[(o) the number, minimum qualifications and experience, the emoluments and other conditions of service, including the age of retirement and provisions relating to compulsory retirement of salaried employees (not being teachers) of the University or an

1. Substituted by U. P. Act No. 5 of 1977 and were deemed always to have been substituted.

2. Substituted by U. P. Act No, 5 of 1977.

affiliated or associated college, and the preparation and maintenance of record of their service ;]

- (p) the institution of scholarships, fellowships, studentships, medals and prizes ;
- (q) the qualifications, conditions and manner of registration of graduates and the maintenance of a register of registered graduates ;
- (r) the holding of convocation, if any ; and
- (s) all other matters which by this Act are to be or may be provided for by the Statutes.

NOTES

Original clauses (d), (e) and (o) were as follows ;

- '(d) the classification and manner of appointment of teachers of the University, the maintenance by them of their annual academic progress report, and the rules of conduct to be observed by them and other conditions of their service ;
- (e) the recruitment and the conditions of service of persons appointed to other post under the University ;
- (o) the classification and manner of appointment and the conditions of service of teachers of Affiliated or Associated colleges as the case may be, including the rules of conduct to be observed by them'.

50. Statutes how made.—The First Statutes of the University shall be made by the State Government by notification in the Gazette and in the case of any existing University, for so long as the First Statutes are not so made, the Statutes as in force immediately before the commencement of this Act, in so far as they are not inconsistent with the provisions of this Act, shall, subject to such adaptations and modifications whether by way of repeal, amendment or addition as may be necessary or expedient, as the State Government may, by notification in the Gazette provide, continue in force, and any such adaptation or modification shall not be called in question.

¹[(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 ²(upto December 31, 1987)³ and any such amendment may be retrospective to a date not earlier than the date of such commencement.]

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1. Inserted by U. P. Act No. 29 of 1974, and U. P. Act 12 of 1978.
 2. Substituted by U. P. Act No. 5 of 1974, and U. P. Act 12 of 1978.
 3. "1978" substituted by "1981" w.e.f. 1 January 1979 by U. P. Act No. 15 of 1980. "1981" substituted by "1982" w. e. f. 29. 12. 81 by U. P. Act No. 25 of 1982 ; "1982" substituted by "1984" w.e.f. 1- 1- 83 by U. P. Act No. 6 of 1983. December 31, 1985 substituted by U. P. Act No. 9 of 1985. Substituted for 1985 by U. P. Act No. of 1986 w.e.f 21-9-86.

1[(2) The Executive Council may, at any time (after December 31, 1987²) make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1) or sub-section (1-A).]

(3) The Executive Council shall not propose the draft of any Statute affecting the status, power or constitution of any authority of the University until such authority has been given an opportunity of expressing its opinion upon the proposal and any opinion so expressed shall be in writing and shall be submitted to the Chancellor.

(4) Every new Statute or addition to a Statute or any amendment or repeal of Statute shall be submitted to the Chancellor who may assent to it or withhold his assent therefrom or remit it to the Executive Council for further consideration.

(5) A Statute passed by the Executive Council shall have effect from the date it is assented to by the Chancellor or from such later date as may be specified by him.

NOTES

By the Uttar Pradesh Education Laws Amendment Act, 1977 (U. P. Act No 5 of 1977) which came into force with effect from 21 April, 1977, in sub-section (1-A) for the words 'within a period of one year from the date of commencement of such Statutes' the words and figures 'upto December 31, 1977' were substituted and were deemed to have always been substituted. In sub-section (2) for the words 'after the expiration of a period of one year from the date of commencement of the First Statutes' the words 'after December 31, 1977' were substituted and were deemed to have always been substituted.

By the Uttar Pradesh Education Laws Amendment Act, 1978 (U. P. Act No. 12 of 1978) which came into force with effect from December 1, 1977 in sub-section (1-A) and sub-section (2) for the figures '1977' the figures '1978' were substituted.

The original sub-section (2) was as follows :

"The Executive Council may from time to time make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section".

51. Ordinances.—(1) Subject to the provisions of this Act and the Statutes the Ordinances may provide for any matter which by this Act or the Statutes is to be or may be provided for by the Ordinances.

(2) Without prejudice to the generality of the provisions of sub-section (1), the Ordinance shall provide for the following matters, namely—

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

1. Substituted by U. P. Act No. 29 of 1974.

2. '1978' substituted by '1981' w. e. f. January 1, 1979 by U. P. Act No 15 of 1980. '1981' substituted by '1982' w.e.f. 29-12-81 by U. P Act No. 25 of 1982 ; '1982' substituted by '1984' w.e.f. 1-1-83 by U. P. Act No. 6 of 1983 1984 Substituted as 1985 by U. P. Act No. 9 of 1985. Substituted for 1985 by U. P. Act No. 15 of 1986 w.e.f. 21-5-1986.

- (b) the courses of study to be laid down for all degrees, diplomas and other academic distinctions of the University ;
- (c) the conditions under which students shall be admitted to the examinations, degrees and diplomas of the University and shall be eligible for the award of such degrees and diplomas ;
- (d) the conditions of the award of scholarships, fellowships, studentships, bursaries, medals and prizes ;
- (e) the conditions of residence of students at the University and the management of halls and hostels maintained by the University ;
- (f) the recognition and management of halls and hostels not maintained by the University ;
- (g) the maintenance of discipline among the students of the University ;
- (h) all matters relating to correspondence courses and private candidates ;
- ¹(i) the formation of parent-teachers association ;
- (j) the fees which may be charged by the University or by an affiliated or associated college for any purpose ;
- (k) the conditions subject to which persons may be recognised as qualified to give instructions in halls and hostels ;
- (l) the conditions and mode of appointment and the duties of examining bodies, examiners, moderators, invigilators and tabulators ;
- (m) the conduct of examinations ;
- (n) the remuneration and allowances including travelling and daily allowances to be paid to persons employed on the business of the University ;
- (o) all other matters which by this Act or the Statutes are to be or may be provided for by the Ordinances.

NOTES

The original clause (i) was as follows :

- (i) the number, qualifications, emoluments and other conditions of service, including the age of retirement of salaried officers of the University other than teachers and the preparation and maintenance of records of their service.'

By the Uttar Pradesh Education Laws Amendment Act, 1975 (U.P. Act No. 21 of 1975) which came into force on 3 May, 1975, in sub-section (2) in clause (i) for the words 'salaried officers' the words 'salaried employees' were substituted.

52. Ordinance how made—(1) The first Ordinances of each existing University shall be the Ordinances as in force immediately before the commencement of this Act in so far as they are not inconsistent with the provisions of this Act :

¹ Substituted by U. P. Act No. 5 of 1977.

Provided that for the purpose of bringing the provisions of any such Ordinances into accord with the provisions of this Act and the Statutes, the Chancellor may by order make such adaptations and modifications of the Ordinances whether by way of repeal, amendment or addition as may be necessary or expedient and, provide that the ordinances shall as from such date as may be specified in the order have effect subject to the adaptations and modifications so made and any such adaptation or modification shall not be called in question.

(2) The First Ordinances of the Universities of Kumaun and Garhwal and of any other University to be established after the commencement of this Act shall be made by the State Government by notification in the Gazette.

(3) Save as otherwise provided in this section, the Executive Council may, from time to time, make new or additional Ordinances or may amend or repeal the Ordinances referred to in sub-section (1) and (2):

Provided that no Ordinance shall be made—

- (a) affecting the admission of students, or prescribing examinations to be recognized as equivalent to the University examinations or the further qualifications mentioned in sub-section (1) of Section 45 for admission to the degree courses of the University, unless a draft of the same has been proposed by the Academic Council ; or
- (b) effecting the conditions and mode of appointment and duties of examiners and the conduct or standard of examinations or any course of study except in accordance with a proposal of the Faculty or Faculties concerned and unless a draft of such Ordinance has been proposed by the Academic Council ; or
- (c) effecting the number, qualifications and emoluments of teachers of the University or the income or expenditure of the University, unless a draft of the same has been approved by the State Government.

(4) The Executive Council shall not have power to amend any draft proposed by the Academic Council under sub-section (3) but may reject it or return to the Academic Council for reconsideration either in whole or in part together with any amendments which the Executive Council may suggest.

(5) All Ordinances made by the Executive Council shall have effect from such date as it may direct and shall be submitted as soon as may be to the Chancellor.

(6) The Chancellor may, at any time signify to the Executive Council his disallowance of such Ordinances other than those referred to in clause

(c) of the proviso to sub-section (3) and from the date of receipt by the Executive Council of intimation of such disallowance, such Ordinances shall become void.

(7) The Chancellor may direct that the operation of any Ordinance other than those referred to in clause (c) of the proviso to sub-section (3) shall be suspended until he has an opportunity of exercising his power of disallowance. An order of suspension under this sub-section shall cease to have effect on the expiration of one month from the date of such order.

53. Regulations.—(1) Subject to the provisions of this Act, the Statutes and the Ordinances, an authority or other body of the University may make Regulations —

- (a) laying down the procedure to be followed at its meeting and the number of members required to form the quorum ;
- (b) providing for all matters which by this Act, the Statutes or the Ordinances are to be provided by Regulations ; and
- (c) providing for any other matter solely concerning such authority or body and not provided for by this Act, the Statutes and the Ordinances.

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

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

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

(4) The Academic Council may subject to the provisions of the Ordinances, make Regulations providing for the course of study for any examination, degree or diploma of the University only after the Board of Faculty concerned has proposed a draft of the same.

(5) The Academic Council shall not have power to amend or reject any draft proposed by the Board of Faculty under sub-section (4), but may return it to the Board for further consideration together with its own suggestions.