

'(6) A meeting of the Executive Council shall be held at least once every two months';

(b) in Section 21, in sub-section (1), after the words 'subject to the provisions of this Act', the words 'and subject also to the control of the Chancellor' shall be deemed inserted ;

(c) in Section 24, in sub-section (2), the words 'and shall upon a requisition in writing signed by not less than one-fourth of the total membership of the Court' shall be deemed omitted.

(12) A fresh Executive Council shall be constituted in accordance with the provisions of Section 20 with effect from the expiration of the period of operation of an order under sub-section (8).

(13) Any Statute, Ordinance, Regulation or other rules made during the period of operation of an order under sub-section (8), in accordance with the provisions of this Act, as deemed modified by virtue of the provisions of sub-section (11) shall, notwithstanding the expiration of such period, continue in force until amended, repealed or rescinded in accordance with the provisions of this Act.

CHAPTER IV

OFFICERS OF THE UNIVERSITY

9. **Officers of the University.**—The following shall be the officers of the University—

- (a) the Chancellor;
- (b) in the case of Sampurnanand Sanskrit Vishvavidyalaya only, the Pro-Chancellor;
- (c) the Vice-Chancellor;
- (d) in the case of Universities referred to in sub-section (1) of Section 14, the Pro-Vice-Chancellor;
- (e) the Finance Officer ;
- (f) the Registrar;
- (g) the Deans of the Faculties;
- (h) the Dean of Students Welfare;
- (i) such other officers as may be declared by the Statutes to be the officers of the University.

10. **The Chancellor.**—(1) The Governor shall be the Chancellor of the University. He shall, by virtue of his office, be the Head of the University and the President of the Court and shall, when present, preside at meeting of the Court and at any convocation of the University.

(2) Every proposal for the conferment of an honorary degree shall be subject to the confirmation of the Chancellor.

(3) It shall be the duty of the Vice-Chancellor to furnish such information or records relating to the administration of the affairs of the University as the Chancellor may call for.

(4) The Chancellor shall have such other powers as may be conferred on him by or under this Act or the Statutes.

11. Pro-Chancellor.—(1) Maharaja Vibhuti Narain Singh of Varanasi shall continue to be the Pro-Chancellor for life of the Sampurnanand Sanskrit Vishvavidyalaya.

(2) The Pro-Chancellor shall, in the absence of the Chancellor, preside at meetings of the Court and at any convocation of the Vishvavidyalaya.

(3) The Pro-Chancellor shall have such other powers as may be conferred upon him by or under this Act or the Statutes.

12. The Vice Chancellor.—(1) The Vice-Chancellor shall be a whole-time salaried officer of the University and shall be appointed by the Chancellor except as provided by sub-section (5) or sub-section (10) from amongst the persons whose names are submitted to him by the Committee constituted in accordance with the provisions of sub-section (2).

(2) The Committee referred to in sub-section (1) shall consist of the following members, namely—

- (a) one person (not being a person connected with the University, an Institute, a constituent college, an associated or affiliated college or a hall or hostel) to be elected by the Executive Council [at least three months before the date on which a vacancy in the office of the Vice-Chancellor is due to occur by reason of expiry of his term]¹ ;
- (b) one person who is or has been a judge of the High Court of Judicature at Allahabad including the Chief Justice thereof nominated by the said Chief Justice ; and
- (c) one person to be nominated by the Chancellor who shall also be the convenor of the Committee :

²[Provided that where the Executive Council fails to elect any person in accordance with clause (a), then the Chancellor shall nominate in addition to the person nominated by him under clause (c), one person in lieu of the representative of the Executive Council.]

1. Added by U. P. A t No. 5 of 1977.

2. Ibid.

(3) The Committee, shall, as far as may be, at least sixty days before the date on which a vacancy in the office of the Vice-Chancellor is due to occur by reason of expiry of term or resignation under sub-section (7), and also whenever so required and before such date as may be specified by the Chancellor; submit to the Chancellor the names of not less than three and not more than five persons suitable to hold the office of the Vice-Chancellor. The Committee shall, while submitting the names, also forward to the Chancellor a concise statement showing the academic qualifications and other distinctions of each of the persons so recommended, but shall not indicate any order of preference.

(4) Where the Chancellor does not consider any one or more of persons recommended by the Committee to be suitable for appointment as Vice-Chancellor or if one or more of the persons recommended is or are not available for appointment and the choice of the Chancellor is restricted to less than three persons, he may require the Committee to submit a list of fresh names in accordance with sub-section (3).

(5) If the Committee in the case referred to in sub-section (3) or sub-section (4) fails or is unable to suggest any names within the time specified by the Chancellor, [or if the Chancellor does not consider any one or more of the fresh names recommended by the Committee to be suitable for appointment as Vice-Chancellor]¹ another Committee consisting of three persons of academic eminence shall be constituted by the Chancellor which shall submit the names in accordance with sub-section (3).

(6) No act or proceeding of the Committee shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members or by reason of some person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

(7) The Vice-Chancellor shall hold office for a term of three years from the date on which he enters upon his office :

Provided that the Vice-Chancellor may by writing under his hand addressed to the Chancellor resign his office, and shall cease to hold his office on the acceptance by the Chancellor of such resignation.

(8) Subject to the provisions of this Act, the emoluments and other conditions of service of the Vice-Chancellor shall be such as may be determined by the State Government by general or special order in that behalf.

(9) The Vice-Chancellor shall not be entitled to the benefit of any pension, insurance or provident fund constituted under Section 33 :

²[Provided that when any teacher or other employee of any University or any affiliated or associated college is appointed as Vice-Chancellor, he shall

1. Inserted by U. P. Act No 5 of 1977 and be deemed always to have been inserted.

2. Inserted by U. P. Act No. 21 of 1975 and be deemed always to have been inserted.

be allowed to continue to contribute to the provident fund to which he is a subscriber and the contribution of the University shall be limited to what it had been contributing immediately before his appointment as Vice-Chancellor.]

(10) In any of the following circumstances (of the existence of which the Chancellor shall be the sole judge), the Chancellor may appoint any suitable person to the office of Vice-Chancellor for a term not exceeding six months as he may specify—

- (a) where a vacancy in the office of Vice-Chancellor occurs or is likely to occur by reason of leave or any other cause, not being resignation or expiry of term of which a report shall forthwith be made by the Registrar to the Chancellor;
- (b) where a vacancy in the office of Vice-Chancellor occurs and it cannot be conveniently and expeditiously filled in accordance with the provisions of sub-sections (1) to (5);
- (c) any other emergency :

Provided that the Chancellor may, from time to time, extend the term of appointment of any person to the office of Vice-Chancellor under this sub-section, so however, that the total term of such appointment (including the term fixed in the original order) does not exceed one year.

(11) Until a Vice-Chancellor appointed under sub-section (1) or sub-section (5) or sub-section (10) assumes office, the Pro-Vice-Chancellor, if any, or where there is no Pro-Vice-Chancellor, the senior-most Professor of the University in the case of the University of Gorakhpur and any University mentioned in or specified under Section 38, or the senior-most Principal of an affiliated college in the case of any other University shall discharge the duties of the Vice-Chancellor as well.

13. Powers and duties of the Vice-Chancellor.—(1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall—

- (a) exercise general supervision and control over the affairs of the University including the constituent colleges and the Institutes maintained by the University and its affiliated and associated colleges;
- (b) give effect to the decisions of the authorities of the University;
- (c) in the absence of the Chancellor, preside at meetings of the Court and at any convocation of the University;
- (d) be responsible for the maintenance of discipline in the University ;

¹[(e) be responsible for holding and conducting the University examinations properly and at due times and for ensuring that the results of such examinations are published expeditiously and that the academic session of the University starts and ends on proper dates].

(2) He shall be an *ex-officio* member and Chairman of the Executive Council, Academic Council and the Finance Committee.

(3) He shall have the right to speak in and otherwise to take part in the meeting of any other authority or body of the University but shall not by virtue of this sub-section be entitled to vote.

(4) It shall be the duty of the Vice-Chancellor to ensure the faithful observance of the provisions of this Act, the Statutes and the Ordinance and he shall, without prejudice to the powers of the Chancellor [under Sections 10 and 68]² possess all such powers as may be necessary in that behalf.

(5) The Vice-Chancellor shall have the power to convene or cause to be convened meetings of the Executive Council, the Court, the Academic Council and the Finance Committee :

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

(6) Where any matter is of urgent nature requiring immediate action and the same could not be immediately dealt with by any officer or the authority or other body of the University empowered by or under this Act to deal with it, the Vice-Chancellor may take such action as he may deem fit and shall forthwith report the action taken by him to the Chancellor and also to the officer, authority, or other body who or which in the ordinary course would have dealt with the matter :

Provided that no such action shall be taken by the Vice-Chancellor without the previous approval of the Chancellor, if it would involve a deviation from the provisions of the Statutes or the Ordinances :

Provided further that if the officers, authority or other body is of opinion that such action ought not to have been taken it may refer the matter to the Chancellor who may either confirm the action taken by the Vice-Chancellor or annul the same or modify it in such manner, as he thinks fit and thereupon, it shall cease to have effect or, as the case may be, take effect in the modified form, so however, that such annulment or modification shall be without prejudice to the validity of anything previously done by or under the order of the Vice-Chancellor :

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

2. Substituted by U. P. Act No. 29 of 1974. Originally the words and figures were "under Section 10".

Provided also that any person in the service of University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section, shall have the right to appeal against such action to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon, the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

(7) Nothing in sub-section (6) shall be deemed to empower the Vice-Chancellor to incur any expenditure not duly authorised and provided for in the budget.

(8) Where the exercise of the power by the Vice-Chancellor under sub-section (6) involves the appointment of an officer or a teacher of the University, such appointment shall terminate on appointment being made in the prescribed manner or on the expiration of a period of six months from the date of the order of the Vice-Chancellor, whichever is earlier.

(9) The Vice-Chancellor shall exercise such other powers as may be laid down by the Statutes and the Ordinances.

14 The Pro-Vice-Chancellor.—(1) This section applies only to the Universities of Lucknow, Allahabad and Gorakhpur and to any other University specified in that behalf by the State Government by notification in the Gazette.

(2) The Vice-Chancellor, if he considers necessary, may appoint a Pro-Vice-Chancellor from amongst the Professors of the University.

(3) The Pro-Vice Chancellor appointed under sub-section (2) shall discharge his duties in addition to his duties as a Professor.

(4) The Pro-Vice-Chancellor shall hold office at the pleasure of the Vice-Chancellor.

(5) The Pro-Vice-Chancellor shall get an honorarium of rupees three hundred per month.

(6) The Pro-Vice-Chancellor shall assist the Vice-Chancellor in respect of such matters, as may be specified by the Vice-Chancellor in this behalf from time to time and shall preside over the meetings of the University in the absence of the Vice Chancellor and shall exercise such powers and perform such duties as may be assigned or delegated to him by the Vice-Chancellor.

15. The Finance Officer.—(1) There shall be a Finance Officer for the University, who shall be appointed by the State Government by a notification published in the Official Gazette, and his remuneration and allowances shall be paid by the University.

(2) The Finance Officer shall be responsible for presenting the budget (annual estimates) and the statement of accounts to the Executive Council and also for drawing and disbursing funds on behalf of the University.

(3) He shall have the right to speak in and otherwise to take part in the proceedings of the Executive Council but shall not be entitled to vote.

(4) The Finance Officer shall not have the duty—

- (a) to ensure that no expenditure, not authorised in the budget, is incurred by the University (otherwise than by way of investment) ;
- (b) to disallow any proposed expenditure which may contravene the provisions of this Act or the terms of any Statutes or Ordinances ;
- (c) to ensure that no other financial irregularity is committed and to take steps to set right any irregularities pointed out during audit;
- (d) to ensure that the property and investments of the University are duly preserved and managed.

(5) The Finance Officer shall have access to and may require the production of such records and documents of the University and the furnishing of such information pertaining to its affairs as in his opinion may be necessary for the discharge of his duties.

(6) All contracts shall be entered into and signed by the Finance Officer on behalf of the University.

(7) Other powers and functions of the Finance Officer shall be such as may be prescribed.

16. The Registrar —(1) The Registrar shall be a whole-time Officer of the University.

(2) The Registrar shall be appointed in accordance with, and his conditions of service shall be governed by, rules made under Section 17.

(3) The Registrar shall have the power to authenticate records on behalf of the University.

(4) The Registrar shall be responsible for the due custody of the records and the common seal of the University. He shall be *ex-officio* Secretary of the Executive Council, the Court, the Academic Council, the Admissions Committee and the Examinations Committee and of every Selection Committee for appointment of teachers of the University, and shall be bound to place before these authorities all such information as may be necessary for transaction of their business. 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.

(5) Subject to the superintendence of the Examinations Committee, the Registrar shall conduct the examinations and make all other arrangements

necessary therefor and be responsible for the due execution of all processes connected therewith.

(6) The Registrar shall not be offered nor shall he accept any remuneration for any work in the University save such as may be provided for by rules made under Section 17.

17. Centralisation of services of Registrars, Deputy Registrars and Assistant Registrars.— (1) The State Government shall by rules made by notification in the Official Gazette, provide for the creation of a separate service of Registrars, Deputy Registrars and Assistant Registrars, common to all the Universities and regulate the recruitment to and conditions of service of persons appointed to any such service.

¹[Provided that any rules made under this sub-section may be made retrospectively to a date not earlier than October 31, 1975.]

(2) When any such service is created, the persons then serving on ²[the administrative posts of Registrars, Deputy Registrars, and Assistant Registrars] if confirmed before May 14, 1973 shall be absorbed in the service finally, and other persons serving on the said posts may, if found suitable, be absorbed in such service either provisionally or finally, and if, in the latter case, any person is not absorbed finally, then his services shall be deemed to have been terminated on payment of one month's salary as compensation.

(3) Where any person referred in sub-section (2) is absorbed in the service, the conditions of service applicable to him shall not be less advantageous than those applicable to him before his absorption, except that he shall be liable to transfer from one University to another :

³[Provided that such absorption in the service shall not operate as a bar against holding or continuing to hold any disciplinary proceeding against a member of the service in respect of any act committed before the date of such absorption.]

(4) All rules made under this section shall, as soon as may be after they are made, be laid before each House of the State Legislature, while it is in session for a total period of not less than thirty days extending in its one session or more than one successive session and shall unless some later date is appointed, take effect from the date of their publication in the Gazette subject to such modifications or annulments as the two Houses of the Legislature may during the said period agree to make, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

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

2. Substituted by U. P. Act No. 29 of 1974 for the words 'the posts of Registrars, Deputy Registrars and Assistant Registrars'.

3. Added by U. P. Act No. 5 of 1977 and shall be deemed to have been always inserted.

18. Other Officers.—The powers of officers of the University other than the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor, the Finance Officer and the Registrar shall be such as may be laid down by the Statutes and the Ordinances.

CHAPTER V

AUTHORITIES OF THE UNIVERSITY

19. Authorities of the University.—The following shall be the authorities of the University—

- (a) the Executive Council;
- (b) the Court;
- (c) the Academic Council;
- (d) the Finance Committee;
- (e) the Boards of Faculties;
- (f) the Selection Committees for appointment of teachers of the University;
- (g) the Admissions Committee;
- (h) the Examinations Committee; and
- (i) such other authorities as may be declared by the Statutes to be authorities of the University.

20. Constitution of the Executive Council.—(1) The Executive Council shall consist of—

- (a) the Vice-Chancellor, who shall be the Chairman thereof ;
- (b) the Pro-Vice-Chancellor, if any ;
- (c) the Deans of two Faculties, by rotation in the manner prescribed ;
- ¹(d) in the case of Universities of Agra, Gorakhpur, Meerut, Kumaun and Garhwal—
 - (i) one Professor other than the Pro-Vice-Chancellor or a Dean referred to in clause (c) 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 mentioned in or notified under sub-section (1) of Section 37, four Principals and four other teachers of affiliated colleges to be selected in the manner prescribed];

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