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THE CENTRAL UNIVERSITIES ACT, 2009

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No. 25 OF 2009

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[20th March, 2009.]

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An Act to establish and incorporate universities for teaching and research in the various States and to provide for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:—

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Short title and commencement.

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1. Short title and commencement. - (1) This Act may be called the Central Universities Act, 2009.

(2) It shall be deemed to have come into force on the 15th day of January, 2009.

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Definitions.

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2. Definitions. - In this Act, and in all Statutes made hereunder, unless the context otherwise requires,

(a) "Academic Council" means the Academic Council of the University;

(b) "academic staff" means such categories of staff as are designated as academic staff by the Ordinances;

(c) "Board of Studies" means the Board of Studies of a Department of the University;

(d) "College" means a college maintained by the University;

(e) "Chancellor", "Vice-Chancellor" and "Pro-Vice-Chancellor" mean, respectively, the Chancellor, Vice-Chancellor and Pro-Vice-Chancellor of the University;

(f) "Court" means the Court of the University;

(g) "Department" means a Department of Studies and includes a Centre of Studies;

(h) "distance education system" means the system of imparting education through any means of communication, such as broadcasting, telecasting, internet, correspondence courses, seminars, contact programmes or the combination of any two or more such means;

(i) “employee” means any person appointed by the University and includes teachers and other staff of the University;

(j) “Executive Council” means the Executive Council of the University;

(k) “Hall” means a unit of residence or of corporate life for the students of the University, or of a College or an Institution, maintained by the University;

(l) “Institution” means an academic institution, not being a College, maintained by the University;

(m) “Principal” means the Head of a College or an Institution maintained by the University and includes, where there is no Principal, the person for the time being duly appointed to act as Principal, and in the absence of the Principal, or the acting Principal, a Vice-Principal duly appointed as such;

(n) “Regulations” means the Regulations made by any authority of the University under this Act for the time being in force;

(o) “School” means a School of Studies of the University;

(p) “Statutes” and “Ordinances” mean, respectively, the Statutes and the Ordinances of the University for the time being in force;

(q) “teachers of the University” means Professors, Associate Professors, Assistant Professors and such other persons as may be appointed for imparting instruction or conducting research in the University or in any College or Institution maintained by the University and are designated as teachers by the Ordinances; and

(r) “University” means a University established and incorporated as a University under this Act.

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Establishment of Universities.

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3. Establishment of Universities. - (1) The Guru Ghasidas Vishwavidyalaya in the State of Chhattisgarh and Doctor Harisingh Gour Vishwavidyalaya in the State of Madhya Pradesh, established under the Madhya Pradesh Vishwavidyalaya Adhiniyam, 1973, and Hemvati Nandan Bahuguna Garhwal University in the State of Uttarakhand, established under the Uttar Pradesh State Universities Act, 1973, shall be established as bodies corporate under this Act by the same names of “Guru Ghasidas Vishwavidyalaya”, “Doctor Harisingh Gour Vishwavidyalaya” and “Hemvati Nandan Bahuguna Garhwal University”, respectively.

(2) The headquarters of Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya and Hemvati Nandan Bahuguna Garhwal University shall be at Bilaspur, Sagar and Srinagar, respectively.

(3) The jurisdiction of Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya and Hemvati Nandan Bahuguna Garhwal University, shall extend to the Bilaspur, Raigarh and Surguja districts of the State of Chhattisgarh, the Sagar, Tikamgarh, Chhatarpur, Panna, Chhindwara and Damoh districts of the State of Madhya Pradesh, and the Chamoli, Dehradun, Garhwal, Hardwar, Rudraprayag, Tehri Garhwal and Uttarkashi districts of the State of Uttarakhand, respectively.

(4) There shall be established, the Universities in the various States as bodies corporate, by such names and territorial jurisdiction, as specified in the First Schedule to this Act.

(5) The headquarters of each of the Universities, referred to in sub-section (4), shall be such as may be specified by the Central Government by notification in the Official Gazette.

(6) The first Chancellor, the first Vice-Chancellor and the first members of the Court, the Executive Council and the Academic Council of each University, and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of the University.

(7) The University shall have perpetual succession and a common seal, and shall sue and be sued by the said name.

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Effect of establishment of Universities.

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4. Effect of establishment of Universities. - On and from the date of commencement of this Act,

(a) any reference to Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya or Hemvati Nandan Bahuguna Garhwal University, in any contract or other instrument shall be deemed as a reference to Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya, and Hemvati Nandan Bahuguna Garhwal University, respectively, established under this Act;

(b) all properties, movable and immovable, of or belonging to Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya and Hemvati Nandan Bahuguna Garhwal University, shall vest in Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya or Hemvati Nandan Bahuguna Garhwal University, as the case may be, established under this Act;

(c) all rights and liabilities of Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya and Hemvati Nandan Bahuguna Garhwal University, shall be transferred to, and be the rights and liabilities of, Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya and Hemvati Nandan Bahuguna Garhwal University, respectively, established under this Act;

(d) every person employed by Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya and Hemvati Nandan Bahuguna Garhwal University, immediately before the commencement of this Act shall hold his office or service in Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya and Hemvati Nandan Bahuguna Garhwal University, respectively, established under this Act by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held the same if this Act had not been enacted and shall continue to do so unless and until his

employment is terminated or until such tenure, remuneration and terms and conditions are duly altered by the Statutes:

Provided that if the alteration so made is not acceptable to such employee, his employment may be terminated by the University in accordance with the terms of the contract with the employee or, if no provision is made therein in this behalf, on payment, to him by the University, of compensation equivalent to three months' remuneration in case of permanent employees and one month's remuneration in the case of other employees:

Provided further that every person employed before the commencement of this Act, pending the execution of a contract under section 33, shall be deemed to have been appointed in accordance with the provisions of a contract consistent with the provisions of this Act and the Statutes:

Provided also that any reference, by whatever form of words, to the Vice-Chancellor and Pro-Vice-Chancellor of Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya or Hemvati Nandan Bahuguna Garhwal University, in any law for the time being in force, or in any instrument or other document, shall be

construed as a reference to the Vice-Chancellor and the Pro-Vice-Chancellor of Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya or Hemvati Nandan Bahuguna Garhwal University, as the case may be, established under this Act;

(e) the Vice-Chancellors of Guru Ghasidas Vishwavidyalaya and Doctor Harisingh Gour Vishwavidyalaya, appointed under the provisions of the Madhya Pradesh Vishwavidyalaya Adhiniyam, 1973, and the Vice-Chancellor of Hemvati Nandan Bahuguna Garhwal University, appointed under the provisions of the Uttar Pradesh State Universities Act, 1973, shall be deemed to have been appointed as the Vice-Chancellors under this Act, and shall hold office for a period of three months or till such time the first Vice-Chancellor is appointed under section 44 of the Act, whichever is earlier; and

(f) all Colleges, Institutions, Schools or Faculties, and Departments affiliated to, or admitted to the privileges of, or maintained by, Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya and Hemvati Nandan Bahuguna Garhwal University shall stand affiliated to, or admitted to the privileges of, or maintained by, Guru Ghasidas Vishwavidyalaya, Doctor Harisingh Gour Vishwavidyalaya and Hemvati Nandan Bahuguna Garhwal University, respectively, established under this Act.

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Objects of University.

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5. Objects of University. - The objects of the University shall be to disseminate and advance knowledge by providing instructional and research facilities in such branches of learning as it may deem fit; to make special provisions for integrated courses in humanities, social sciences, science and technology in its educational programmes; to take appropriate measures for promoting innovations in teaching-learning process and inter-disciplinary studies and research; to educate and train manpower for the development of the country; to establish linkages with industries for the promotion of science and technology; and to pay special attention to the improvement of the social and economic conditions and welfare of the people, their intellectual, academic and cultural development.

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Powers of University.

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6. Powers of University. - (I) The University shall have the following powers, namely:—

(i) to provide for instructions in such branches of learning like natural sciences, social sciences, humanities, engineering, technology and medicine as the University may, from time to time, determine and to make provisions for research and for the advancement and dissemination of knowledge;

(ii) to grant, subject to such conditions as the University may determine, diplomas or certificates to, and confer degrees or other academic distinctions on, persons, on the basis of examinations, evaluation or any other method of testing, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;

(iii) to organise and to undertake extramural studies, training and extension services;

(iv) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;

(v) to provide facilities through the distance education system to such persons as it may determine;

(vi) to institute Principal ships, Professorships, Associate Professorships, Assistant Professorships and other teaching or academic positions, required by the University and to appoint persons to such Principal ships, Professorships, Associate Professorships, Assistant Professorships or other teaching or academic positions;

(vii) to recognize an institution of higher learning for such purposes as the University may determine and to withdraw such recognition;

(viii) to appoint persons working in any other University or academic institution, including those located outside the country, as teachers of the University for a specified period;

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

(x) to co-operate or collaborate or associate with any other University or authority or institution of higher learning, including those located outside the country, in such manner and for such purposes as the University may determine;

(xi) to establish such centres and specialised laboratories or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;

(xii) to institute and award fellowships, scholarships, studentships, medals and prizes;

(xiii) to establish and maintain Colleges, Institutions and Halls;

(xiv) to make provision for research and advisory services and for that purpose to enter into such arrangements with other institutions, industrial or other organisations, as the University may deem necessary;

(xv) to organise and conduct refresher courses, workshops, seminars and other programmes for teachers, evaluators and other academic staff;

(xvi) to appoint on contract or otherwise visiting Professors, Emeritus Professors, Consultants and such other persons who may contribute to the advancement of the objects of the University;

(xvii) to confer autonomous status on a College or an Institution or a Department, as the case may be, in accordance with the Statutes;

(xviii) to determine standards of admission to the University, which may include examination, evaluation or any other method of testing;

(xix) to demand and receive payment of fees and other charges;

(xx) to supervise the residences of the students of the University and to make arrangements for promoting their health and general welfare;

(xxi) to lay down conditions of service of all categories of employees, including their code of conduct;

(xxii) to regulate and enforce discipline among the students and the employees, and to take such disciplinary measures in this regard as may be deemed by the University to be necessary;

(xxiii) to make arrangements for promoting the health and general welfare of the employees;

(xxiv) to receive benefactions, donations and gifts and to acquire, hold and manage, and to dispose of, with the previous approval of the Central Government, any property, movable or immovable, including trust and endowment properties, for the purposes of the University;

(xxv) to borrow, with the previous approval of the Central Government, on the security of the property of the University, money for the purposes of the University; and

(xxvi) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.

(2) In exercising its powers referred to in sub-section (1), it shall be the endeavour of the University to maintain an all-India character and high standards of teaching and research, and the University shall, among other measures which may be necessary for the said purpose, take, in particular, the following measures, namely:—

(i) admission of students and recruitment of faculty shall be made on all-India basis;

(ii) admissions of students shall be made on merit, either through Common Entrance Tests conducted individually by the University or in combination with other Universities, or on the basis of marks obtained in the qualifying examination in such courses where the intake of students is small;

(iii) inter-University mobility of faculty, with portable pensions and protection of seniority, shall be encouraged;

(iv) semester system, continuous evaluation and choice-based credit system shall be introduced and the University shall enter into agreements with other Universities and academic institutions for credit transfer and joint degree programmes;

(v) innovative courses and programmes of studies shall be introduced with a provision for periodic review and restructuring;

(vi) active participation of students shall be ensured in all academic activities of the University, including evaluation of teachers;

(vii) accreditation shall be obtained from the National Assessment and Accreditation Council or any other accrediting agency at the national level; and

(viii) e-governance shall be introduced with an effective management information system.

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University open to all castes, creed, race or class.

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7. University open to all castes, creed, race or class. - The University shall be open to persons of either sex and of whatever caste, creed, race or class, and it shall not be lawful for the University to adopt or impose on any person, any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University or to hold any other office therein or to be admitted as a student in the University or to graduate thereat or to enjoy or exercise any privilege thereof:

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the employment or admission of women, persons with disabilities or of persons belonging to the weaker sections of the society and, in particular, of the Scheduled Castes, the Scheduled Tribes and the other socially and educationally backward classes of citizens:

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Visitor of University.

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8. Visitor of University. - (1) The President of India shall be the Visitor of the University.

(2) The Visitor may, from time to time, appoint one or more persons to review the work and progress of the University, including Colleges and Institutions maintained by it, and to submit a report thereon; and upon receipt of that report, the Visitor may, after obtaining the views of the Executive Council thereon through the Vice-Chancellor, take such action and issue such directions, as he considers necessary, in respect of any of the matters dealt with in the report and the University shall abide by such action and be bound to comply with such directions.

(3) The Visitor shall have the right to cause an inspection to be made by such person or persons, as he may direct, of the University, its buildings, libraries, laboratories and equipment, and of any College or Institution maintained by the University; and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, Colleges or Institutions.

(4) The Visitor shall, in every matter referred to in sub-section (3), give notice of his intention to cause an inspection or inquiry to be made, to the University, and the University shall have the right to make such representations to the Visitor, as it may consider necessary.

(5) After considering the representations, if any, made by the University, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (3).

(6) Where any inspection or inquiry has been caused to be made by the Visitor, the University shall be entitled to appoint a representative, who shall have the right to be present and be heard at such inspection or inquiry.

(7) The Visitor may, if the inspection or inquiry is made in respect of the University or any College or Institution maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry together with such views and advice with regard to the action to be taken thereon, as the Visitor may be pleased to offer, and on receipt of address made by the Visitor, the Vice-Chancellor shall communicate, to the Executive Council, the views of the Visitor with such advice as the Visitor may offer upon the action to be taken thereon.

(8) The Executive Council shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it proposes to take or has been taken upon the result of such inspection or inquiry.

(9) Where, the Executive Council does not, within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions, as he may think fit, and the Executive Council shall comply with such directions.

(10) Without prejudice to the foregoing provisions of this section, the Visitor may, by order in writing, annul any proceeding of the University which is not in conformity with this Act, the Statutes or the Ordinances:

Provided that before making any such order, he shall call upon the Registrar to show cause why such an order should not be made, and, if any cause is shown within a reasonable time, he shall consider the same.

(11) The Visitor shall have such other powers as may be prescribed by the Statutes.

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Officers of University.

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9. Officers of University. - **The following shall be the officers of the University, namely:—**

(1) the Chancellor;

(2) the Vice-Chancellor;

(3) the Pro-Vice-Chancellor;

(4) the Deans of Schools;

(5) the Registrar;

(6) the Finance Officer;

(7) the Controller of Examinations;

(8) the Librarian; and

(9) such other officers as may be declared by the Statutes to be the officers of the University.

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Chancellor.

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10. Chancellor. - (1) The Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

(2) The Chancellor shall, by virtue of his office, be the head of the University and shall, if present, preside at the Convocations of the University held for conferring degrees and meetings of the Court.

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Vice-Chancellor.

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11. Vice-Chancellor. - (1) The Vice-Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority at its next meeting the action taken by him on such matter:

Provided that if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the Visitor whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to represent 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.

(4) The Vice-Chancellor, if he is of the opinion that any decision of any authority of the University is beyond the powers of the authority conferred by the provisions of this Act, the Statutes or the Ordinances or that any decision taken is not in the interest of the University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review the decision either in whole or in part or no decision is taken by it within the said period of sixty days, the matter shall be referred to the Visitor whose decision thereon shall be final.

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

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Pro-Vice-Chancellor.

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12. Pro-Vice-Chancellor. - The Pro-Vice-Chancellor shall be appointed in such manner and on such terms and conditions of service, and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

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Deans of Schools.

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13. Deans of Schools. - Every Dean of School shall be appointed in such manner, and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

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Registrar.

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14. Registrar. - (1) The Registrar shall be appointed in such manner, and on such terms and conditions of service, as may be prescribed by the Statutes.

(2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University, and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

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Finance Officer.

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15. Finance Officer. - The Finance Officer shall be appointed in such manner, and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

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Controller of Examinations.

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16. Controller of Examinations. - The Controller of Examinations shall be appointed in such manner and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

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Librarian.

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17. Librarian. - The Librarian shall be appointed in such manner and on such terms and conditions of service, and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

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Other officers.

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18. Other officers. - The manner of appointment and powers and duties of other officers of the University shall be prescribed by the Statutes.

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Authorities of University.

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19. Authorities of University. - The following shall be the authorities of the University, namely:—

(1) the Court;

(2) the Executive Council;

- (3) the Academic Council;
- (4) the Board of Studies;
- (5) the Finance Committee; and

(6) such other authorities as may be declared by the Statutes to be the authorities of the University.

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The Court.

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20. The Court. - (1) The constitution of the Court and the term of office of its members shall be prescribed by the Statutes:

Provided that such number of members, as may be prescribed by the Statutes, shall be elected from among the teachers, employees and students of the University.

(2) Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:—

(a) to review, from time to time, the broad policies and programmes of the University, and to suggest measures for the improvement and development of the University;

(b) to consider and pass resolutions on the annual report and the annual accounts of the University and the audit report on such accounts;

(c) to advise the Visitor in respect of any matter which may be referred to it for advice; and

(d) to perform such other functions as may be prescribed by the Statutes.

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Executive Council.

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21. Executive Council. - (1) The Executive Council shall be the principal executive body of the University.

(2) The constitution of the Executive Council, the term of office of its members and its powers and functions shall be prescribed by the Statutes:

Provided that such number of members as may be prescribed by the Statutes shall be from among the elected members of the Court.

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Academic Council.

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22. Academic Council. (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of

this Act, the Statutes and the Ordinances, co-ordinate and exercise general supervision over the academic policies of the University.

(2) The constitution of the Academic Council, the term of office of its members and its powers and functions shall be prescribed by the Statutes:

Provided that such number of members as may be prescribed by the Statutes shall be from among the elected members of the Court.

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Boards of Studies.

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23. Boards of Studies. The constitution, powers and functions of the Boards of Studies shall be prescribed by the Statutes.

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Finance Committee.

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24. Finance Committee. - The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes.

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Other authorities of University.

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25. Other authorities of University. - The constitution, powers and functions of other authorities, as may be declared by the Statutes to be the authorities of the University, shall be prescribed by the Statutes.

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Powers to make Statutes.

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26. Powers to make Statutes. - Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

(a) the constitution, powers and functions of authorities and other bodies of the University, as may be constituted from time to time;

(b) the appointment and continuance in office of the members of the said authorities and bodies, the filling up of vacancies of members, and all other matters

relating to those authorities and other bodies for which it may be necessary or desirable to provide;

(c) the appointment, powers and duties of the officers of the University and their emoluments;

(d) the appointment of teachers, academic staff and other employees of the University, their emoluments and conditions of service;

(e) the appointment of teachers and academic staff working in any other University or organisation for a specific period for undertaking a joint project;

(f) the conditions of service of employees including provisions for pension, insurance, provident fund, the manner of termination of service and disciplinary action;

(g) the principles governing the seniority of service of the employees of the University;

(h) the procedure for arbitration in cases of dispute between employees or students and the University;

(i) the procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of the University;

(j) the conferment of autonomous status on a College or an Institution or a Department;

(k) the establishment and abolition of Schools, Departments, Centres, Halls, Colleges and Institutions;

(l) the conferment of honorary degrees;

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

(n) the management of Colleges and Institutions established by the University;

(o) the delegation of powers vested in the authorities or officers of the University;

(p) the maintenance of discipline among the employees and students; and

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

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Statutes, how to be made.

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27. Statutes, how to be made. - (1) The first Statutes are those set out in the Second Schedule to this Act.

(2) 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 (1):

Provided that the Executive Council shall not make, amend or repeal any Statutes affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council.

(3) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the assent of the Visitor who may assent thereto or withhold assent or remit to the Executive Council for re-consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

(5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) during the period of three years immediately after the commencement of this Act:

Provided that the Visitor may, on the expiry of the said period of three years, make, within one year from the date of such expiry, such detailed Statutes as he may consider necessary and such detailed Statutes shall be laid before both Houses of Parliament.

(6) Notwithstanding anything contained in this section, the Visitor may direct the University to make provisions in the Statutes in respect of any matter specified by him and if the Executive Council is unable to implement such direction within sixty days of its receipt, the Visitor may, after considering the reasons, if any, communicated by the Executive Council for its inability to comply with such direction, make or amend the Statutes suitably.

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Power to make Ordinances.

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28. Power to make Ordinances. - (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

- (a) the admission of students to the University and their enrolment as such;
- (b) the courses of study to be laid down for all degrees, diplomas and certificates of the University;
- (c) the medium of instruction and examination;
- (d) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;
- (e) the fees to be charged for courses of study in the University and for admission to examinations, degrees and diplomas of the University;
- (f) the conditions for award of fellowships, scholarships, studentships, medals and prizes;
- (g) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators;
- (h) the conditions of residence of the students of the University;
- (i) the special arrangements, if any, which may be made for the residence and teaching of women students and the prescribing of special courses of studies for them;
- (j) the establishment of Centres of Studies, Boards of Studies, Specialised Laboratories and other Committees;
- (k) the manner of co-operation and collaboration with other Universities, institutions and other agencies including learned bodies or associations;
- (l) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;
- (m) the institution of fellowships, scholarships, studentships, medals and prizes;
- (n) the setting up of a machinery for redressal of grievances of employees and students; and

(o) all other matters which by this Act, or, the Statutes, are to be, or, may be, provided for by the Ordinances.

(2) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Executive Council and the Ordinances so made may also be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes:

Provided that in the case of Guru Ghasidas Vishwavidyalaya and Doctor Harisingh Gour Vishwavidyalaya, and Hemvati Nandan Bahuguna Garhwal University, till such time as the first Ordinances are not so made, in respect of the matters that are to be provided for by the Ordinances under this Act and the Statutes, the relevant provisions of the Statutes and the Ordinances made immediately before the commencement of this Act under the provisions of the Madhya Pradesh Vishwavidyalaya Adhiniyam, 1973, and the Uttar Pradesh State Universities Act, 1973, respectively, shall be applicable in so far as they are not inconsistent with the provisions of this Act and the Statutes.

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Regulations.

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29. Regulations. - The authorities of the University may make Regulations, consistent with this Act, the Statutes and the Ordinances, for the conduct of their own business and that of the Committees, if any, appointed by them and not provided for by this Act, the Statutes or the Ordinances, in the manner prescribed by the Statutes.

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Annual report.

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30. Annual report. - (1) The annual report of the University shall be prepared under the direction of the Executive Council, which shall include, among other matters, the steps taken by the University towards the fulfilment of its objects and shall be submitted to the Court on or before such date as may be prescribed by the Statutes and the Court shall consider the report in its annual meeting.

(2) The Court shall submit the annual report to the Visitor along with its comments, if any.

(3) A copy of the annual report, as prepared under sub-section (1), shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.

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Annual accounts.

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31. Annual accounts. - (1) The annual accounts and balance-sheet of the University shall be prepared under the direction of the Executive Council and shall, once at least every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India or by such persons as he may authorise in this behalf.

(2) A copy of the annual accounts together with the audit report thereon shall be submitted to the Court and the Visitor along with the observations of the Executive Council.

(3) Any observations made by the Visitor on the annual accounts shall be brought to the notice of the Court and the observations of the Court, if any, shall, after being considered by the Executive Council, be submitted to the Visitor.

(4) A copy of the annual accounts together with the audit report, as submitted to the Visitor, shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.

(5) The audited annual accounts after having been laid before both Houses of Parliament shall be published in the Gazette of India.

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Returns and information.

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32. Returns and information. - The University shall furnish to the Central Government such returns or other information with respect to its property or activities as the Central Government may, from time to time, require, within such period as may be specified by the Central Government.

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Conditions of service of employees, etc.

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33. Conditions of service of employees, etc. - (1) Every employee of the University shall be appointed under a written contract, which shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

(2) Any dispute arising out of the contract between the University and any employee shall, at the request of the employee, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the employee concerned and an umpire appointed by the Visitor.

(3) The decision of the Tribunal shall be final and no suit shall lie in any civil court in respect of the matters decided by the Tribunal:

Provided that nothing in this sub-section shall preclude the employee from availing of the judicial remedies available under articles 32 and 226 of the Constitution.

(4) Every request made by the employee under sub-section (2) shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration and Conciliation Act, 1996.

(5) The procedure for regulating the work of the Tribunal shall be prescribed by the Statutes.

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Procedure of appeal and arbitration in disciplinary cases against students.

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34. Procedure of appeal and arbitration in disciplinary cases against students. - (1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examinations of the University for more than one year, may, within ten days of the date of receipt of such orders or copy of such resolution by him, appeal to the Executive Council and the Executive Council may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.

(2) Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to a Tribunal of Arbitration and the provisions of sub-sections (2), (3), (4) and (5) of section 33 shall, as far as may be, apply to a reference made under this sub-section.

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Right to appeal.

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35. Right to appeal. - Every employee or student of the University or of a College or Institution maintained by the University shall, notwithstanding anything contained in this Act, have a right to appeal within such time as may be prescribed by the Statutes, to the Executive Council against the decision of any officer or authority of the University, or, the Principal or the management of any College or an Institution, as the case may be, and thereupon the Executive Council may confirm, modify or reverse the decision appealed against.

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Provident and pension funds.

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36. Provident and pension funds. - (1) The University shall constitute for the benefit of its employees such provident or pension fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

(2) Where such provident fund or pension fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925, shall apply to such fund, as if it were a Government provident fund.

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Disputes as to constitution of authorities and bodies.

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37. Disputes as to constitution of authorities and bodies. - If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Visitor whose decision thereon shall be final.

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Filling of casual vacancies.

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38. Filling of casual vacancies. - All casual vacancies among the members (other than *ex officio* members) of any authority or other body of the University shall be filled, as soon as may be, by the person or body who appoints, elects or co-opts the member whose place has become vacant and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

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Proceedings of authorities or bodies not invalidated by vacancies.

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39. Proceedings of authorities or bodies not invalidated by vacancies. - No act or proceedings of any authority or other body of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.

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Protection of action taken in good faith.

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40. Protection of action taken in good faith. - No suit or other legal proceedings shall lie against any officer or other employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or the Ordinances.

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Mode of proof of University record.

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41. Mode of proof of University record. - Notwithstanding anything contained in the Indian Evidence Act, 1872 or in any other law for the time being in force, a copy of any receipt, application, notice, order, proceeding or resolution of any authority or other body of the University, or any other document in possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as *prima facie* evidence of such receipt, application, notice, order, proceeding, resolution or document or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence.

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Power to remove difficulties.

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42. Power to remove difficulties. - (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

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Statutes, Ordinances and Regulations to be published in the Official Gazette and to be laid before Parliament.

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43. Statutes, Ordinances and Regulations to be published in the Official Gazette and to be laid before Parliament. - (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.

(2) Every Statute, Ordinance or Regulation made under this Act, shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.

(3) The power to make Statutes, Ordinances or Regulations shall include the power to give retrospective effect, from a date not earlier than the date of commencement of this Act, to the Statutes, Ordinances or Regulations or any of them but no

retrospective effect shall be given to any Statutes, Ordinances or Regulations so as to prejudicially affect the interests of any person to whom such Statutes, Ordinances or Regulations may be applicable.

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Transitional provisions.

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44. Transitional provisions. - Notwithstanding anything contained in this Act and the Statutes,—

(a) the first Chancellor and the first Vice-Chancellor shall be appointed by the Visitor in such manner and on such conditions as may be deemed fit and each of the said officers shall hold office for such term, not exceeding five years, as may be specified by the Visitor;

(b) the first Registrar and the first Finance Officer shall be appointed by the Visitor and each of the said officers shall hold office for a term of three years;

(c) the first Court and the first Executive Council shall consist of not more than thirty-one members and eleven members, respectively, who shall be nominated by the Central Government and shall hold office for a term of three years; and

(d) the first Academic Council shall consist of not more than twenty-one members, who shall be nominated by the Central Government and shall hold office for a term of three years:

Provided that if any vacancy occurs in the above offices or authorities, the same shall be filled by appointment by the Visitor or nomination by the Central Government, as the case may be, and the person so appointed or nominated shall hold office for so long as the officer or member in whose place he is appointed or nominated would have held office, if such vacancy had not occurred.

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Amendment of Madhya Pradesh Act 22 of 1973.

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45. Amendment of Madhya Pradesh Act 22 of 1973. - (1) In the Madhya Pradesh Vishwavidyalaya Adhiniyam, 1973, in the Second Schedule, the entries relating to Guru Ghasidas Vishwavidyalaya and Doctor Harisingh Gour Vishwavidyalaya shall be omitted.

(2) Notwithstanding such omission,—

(a) all appointments made, orders issued, degrees and other academic distinctions conferred, diplomas and certificates awarded, privileges granted, or other things done under the Madhya Pradesh Vishwavidyalaya Adhiniyam, 1973, shall be deemed to have been respectively made, issued, conferred, awarded, granted or done under the corresponding provisions of this Act and, except as otherwise provided by this Act or the Statutes, continue in force unless and until they are superseded by any order made under this Act or the Statutes; and

(b) all proceedings of Selection Committees for the appointment or promotion of teachers that took place before the commencement of this Act and all actions of the Executive Council in respect of the recommendations of such Selection Committees where no orders of appointment on the basis thereof were passed before the commencement of this Act shall, notwithstanding that the procedure for selection has been modified by this Act, be deemed to have been valid but further proceeding in connection with such pending selections shall be taken in accordance with the provisions of this Act and be continued from the stage where they stood immediately before such commencement, except if the concerned authorities take, with the approval of the Visitor, a decision to the contrary.

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Amendment of President's Act 10 of 1973.

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46. Amendment of President's Act 10 of 1973. - (1) In the Uttar Pradesh State Universities Act, 1973,—

(a) in sub-section (1) of section 4, the words, figures and brackets “and a University of Garhwal which shall from April 25, 1989 be called the Hemvati Nandan Bahuguna Garhwal University at Srinagar (District Garhwal)” shall be omitted;

(b) in clause (d) of sub-section (1) of section 20, the words “the Hemvati Nandan Bahuguna Garhwal University” shall be omitted;

(c) in sub-section (2) of section 52, for the words “the Universities of Kumaun and Garhwal” the words “the University of Kumaun” shall be substituted;

(d) section 72B shall be omitted;

(e) in the Schedule, Serial No. 8 and the entries relating thereto shall be omitted.

(2) Notwithstanding the omission and substitution referred to in sub-section (1),—

(a) all appointments made, orders issued, degrees and other academic distinctions conferred, diplomas and certificates awarded, privileges granted, or other things done under the Uttar Pradesh State Universities Act, 1973, shall be deemed to have been respectively made, issued, conferred, awarded, granted or done under the corresponding provisions of this Act and, except as otherwise provided by this Act or the Statutes, continue in force unless and until they are superseded by any order made under this Act or the Statutes; and

(b) all proceedings of Selection Committees for the appointment or promotion of teachers that took place before the commencement of this Act and all actions of the Executive Council in respect of the recommendations of such Selection Committees where no orders of appointment on the basis thereof were

passed before the commencement of this Act shall, notwithstanding that the procedure for selection has been modified by this Act, be deemed to have been valid but further proceeding in connection with such pending selections shall be taken in accordance with the provisions of this Act and be continued from the stage where they stood immediately before such commencement, except if the concerned authorities take, with the approval of the Visitor, a decision to the contrary.

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Repeal and savings.

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47. Repeal and savings. - (1) The Central Universities Ordinance, 2009 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act, and—

(a) all appointments made, orders issued, degrees and other academic distinctions conferred, diplomas and certificates awarded, privileges granted, or other things done under the Central Universities Ordinance, 2009, shall be deemed to have been respectively made, issued, conferred, awarded, granted or done under the corresponding provisions of this Act and, except as otherwise provided by, or under this Act or the Statutes, continue in force unless and until they are superseded by any order made under this Act or the Statutes; and

(b) all proceedings of Selection Committees for the appointment or promotion of teachers that took place before the commencement of this Act and all actions of the Executive Council in respect of the recommendations of such Selection Committees where no orders of appointment on the basis thereof were passed before the commencement of this Act shall, notwithstanding that the procedure for selection has been modified by this Act, be deemed to have been valid but further proceeding in connection with such pending selections shall be taken in accordance with the provisions of this Act and be continued from the stage where they stood immediately before such commencement, except if the concerned authorities take, with the approval of the Visitor, a decision to the contrary.

THE SCHEDULE

[See sections 2 (o) and 38]

(a) Multiple species diseases

1. Anthrax.
2. Aujeszky's disease.
3. Bluetongue.
4. Brucellosis.
5. Crimean Congo haemorrhagic fever.
6. Echinococcosis/hydatidosis.
7. Foot and mouth disease.
8. Heartwater.
9. Japanese encephalitis.
10. Leptospirosis.
11. New world screwworm (*Cochliomyia hominivorax*).
12. Old world screwworm (*Chrysomya bezziana*).
13. Paratuberculosis.

14. Q fever.
15. Rabies.
16. Rift Valley fever.
17. Rinderpest.
18. Trichinellosis.
19. Tularemia.
20. Vesicular stomatitis.
21. West Nile fever.

(b) Cattle diseases

1. Bovine anaplasmosis.
2. Bovine babesiosis.
3. Bovine genital campylobacteriosis.
4. Bovine spongiform encephalopathy.
5. Bovine tuberculosis.
6. Bovine viral diarrhoea.
7. Contagious bovine pleuropneumonia.
8. Enzootic bovine leucosis.
9. Haemorrhagic septicaemia.
10. Infectious bovine rhinotracheitis/infectious pustular vulvovaginitis.
11. Lumpy skin disease.
12. Malignant catarrhal fever.
13. Theileriosis.
14. Trichomonosis.
15. Trypanosomosis.

(c) Sheep and goat diseases

1. Caprine arthritis/encephalitis.
2. Contagious agalactia.
3. Contagious caprine pleuropneumonia.
4. Enzootic abortion of ewes (ovine chlamydiosis).
5. Maedi-visna.
6. Nairobi sheep disease.
7. Ovine epididymitis (*Brucella ovis*).
8. Peste des petits ruminants.
9. Salmonellosis (*S. abortusovis*).
10. Scrapie.
11. Sheep pox and goat pox.

(d) Equine diseases

1. African horse sickness.
2. Contagious equine metritis.
3. Dourine.
4. Equine encephalomyelitis (Eastern).

5. Equine encephalomyelitis (Western).
6. Equine infectious anaemia.
7. Equine Influenza.
8. Equine piroplasmosis.
9. Equine rhinopneumonitis.
10. Equine viral arteritis.
11. Glanders.
12. Surra (*Trypanosoma evansi*).
13. Venezuelan equine encephalomyelitis.

(e) Swine diseases

1. African swine fever.
2. Classical swine fever.
3. Nipah virus encephalitis.
4. Porcine cysticercosis.
5. Porcine reproductive and respiratory syndrome.
6. Swine vesicular disease.
7. Transmissible gastroenteritis.

(f) Avian diseases

1. Avian chlamydiosis.
2. Avian infectious bronchitis.
3. Avian infectious laryngotracheitis.
4. Avian mycoplasmosis (*M. gallisepticum*).
5. Avian mycoplasmosis (*M. synoviae*).
6. Duck virus hepatitis.
7. Fowl cholera.
8. Fowl typhoid.
9. Highly pathogenic avian influenza and low pathogenic avian influenza in poultry.
10. Infectious bursal disease (Gumboro disease).
11. Marek's disease.
12. Newcastle disease.
13. Pullorum disease.
14. Turkey rhinotracheitis.

(g) Lagomorph diseases

1. Myxomatosis.
2. Rabbit haemorrhagic disease.

(h) Bee diseases

1. Acarapisosis of honey bees.
2. American foulbrood of honey bees.
3. European foulbrood of honey bees.
4. Small hive beetle infestation (*Aethina tumida*).
5. *Tropilaelaps* infestation of honey bees.

6. Varroosis of honey bees.

(i) Fish diseases

1. Epizootic haematopoietic necrosis.
2. Infectious haematopoietic necrosis.
3. Spring viraemia of carp.
4. Viral haemorrhagic septicaemia.
5. Infectious pancreatic necrosis.
6. Infectious salmon anaemia.
7. Epizootic ulcerative syndrome.
8. Bacterial kidney disease (*Renibacterium salmoninarum*).
9. Gyrodactylosis (*Gyrodactylus salaris*).
10. Red sea bream iridoviral disease.

(j) Mollusc diseases

1. Infection with *Bonamia ostreae*.
2. Infection with *Bonamia exitiosa*.
3. Infection with *Marteilia refringens*.
4. Infection with *Mikrocytos mackini*.
5. Infection with *Perkinsus marinus*.
6. Infection with *Perkinsus olseni*.
7. Infection with *Xenohalotis californiensis*.

(k) Crustacean diseases

1. Taura syndrome.
2. White spot disease.
3. Yellowhead disease.
4. Tetrahedral baculovirosis (*Baculovirus penaei*).
5. Spherical baculovirosis (*Penaeus monodon*-type baculovirus).
6. Infectious hypodermal and haematopoietic necrosis.
7. Crayfish plague (*Aphanomyces astaci*).

(l) Other diseases

1. Camelpox.
2. Leishmaniosis.

N. L. MEENA,
Additional Secretary to the Govt. of India.
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