



**THE ARUNACHAL UNIVERSITY (AMENDMENT) ACT, 1993
(Act No. 3 of 1994)***

AN

ACT

Received the assent on 3rd January 1994.

further to amend the Arunachal University Act, 1984 (Act No. 1 of 1984)

BE it enacted by the Legislative Assembly of Arunachal Pradesh in the Forty-fourth Year of the Republic of India as follows:-

1. (1) This Act may be called the Arunachal University (Amendment) Act, 1993.

Short title and commencement.

(2) It shall come into force at once.

2. In the Arunachal University Act, 1984 (Act No.1 of 1984) (hereinafter referred to as the principal Act),-

for the words “Administrator”, “Central Government”, “Union Territory”, wherever they occur substitute words “Governor”, “State Government”, and “State” respectively.

3. In Section 5 of the principal Act,-

Amendment of Section 5.

(a) In clause (3) after the word “persons”, the words “and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient reason” shall be inserted.

(b) in clause (7) for the word “posts”, wherever it occurs, the word “position” shall be substituted

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

“(9A) to appoint in contract otherwise visiting Professors, Consultants, Research Scholars, Fellows and such other persons who may contribute to the advancement of the objects of the University”.

(d) For clause (23), the following clause shall be substituted namely:-

“(23) to regulate the conduct of and enforce discipline among the students of the University and the colleges and Institutions including Hostels and take such disciplinary measures in this regard as may be deemed necessary by the University;”

(e) for clause (27) the following clause shall be substituted, namely:-

“(27) to receive with the approval of the State Government, benefactions, donations, gifts and grants and acquire, hold manage and dispose of property movable or immovable including trusts and endowment properties for the purpose of the University;”

(f) After clause (27) the following clause shall be inserted, namely:-

“(27A) to accept grants from the Central or any State Government or the University Grants Commission and, with the approval of the State Government from other sources”.

Amendment
of Section 6.

4. In Section 6 of the principal Act, after sub-section (3), the following sub-section shall be inserted namely:-

“(4) The jurisdiction of the University shall also extend to all Colleges or Institutions, as may be admitted to the privileges of the University from time to time”.

Amendment
of Section 7

5. (i) In sub-section (1) of section 7 of the principal Act, after the word “therein” and before the words “to graduate”, the word “or” shall be inserted.

(2) For sub-section (2) of section 7 of the principal Act, the following sub-section shall be substituted:-

“(2) Nothing in sub-section (1) of this section shall be deemed to prevent the University for making special provisions for admission of women, persons physically handicapped or persons belonging to any socially and/or educationally backward classes of the people in Arunachal Pradesh and, in particular, of the Scheduled Tribes and Scheduled Castes”.

6. Section 8 in the principal Act shall be omitted.

Section 8
omitted.

7. In sub-section (10) of section 9 of the principal Act, after the word “directions” and before the words “he may think”, the word “as” shall be inserted.

Amendment
of Section 9.

8. In Section 1 of the principal Act, after item (5), the following item shall be added, namely:-

Amendment
of Section 10.

“(54) The Controller of Examinations”.

9. For Section 11 of the principal Act, the following Section shall be substituted, namely:-

“11 (1) The Vice-Chancellor shall be appointed by Chancellor from among a panel of not less than three persons who shall be recommended by a committee in alphabetical order without indicating any order of preference. The Committee shall consist of the following persons namely:-

- (a) a nominee of the Chancellor, who shall act as the convener of the Committee;
- (b) a nominee of the Executive Council;
- (c) a nominee of the State Government;
- (d) a nominee of the Chairperson of the University Grants Commission,

and three members shall form a quorum of the meeting of the committee:

Provided that none of the members of the committee shall be an employee of the University or a member of any authority of the University connected with any approved Institution or College or Institution recognised by or associated with the University:

Provided further that if the Chancellor does not approve any of the persons included in the Panel, he may call for a fresh Panel from the Committee.

- (2) (a) The Vice-Chancellor shall hold office for five years from the date on which he enters office or till he attains the age of 65 years whichever is earlier, unless sooner removed by an order passed by the Chancellor and shall subject to the provisions of this Section shall not be eligible for appointment for any further term:

Provided that a Vice-Chancellor shall not be removed from office except by an order of the Chancellor, without giving him an opportunity to cause, and accept on the ground of incapacity, mismanagement, misconduct or misuse of power proved by an Enquiry to be held by a sitting or retired Judge of the Supreme Court or a High Court appointed by the Chancellor.

- (b) Notwithstanding the provisions of clause (a) of this sub-section, the Chancellor may allow a Vice-Chancellor whose appointment comes to an end either on expiry of the term of five years or on his attaining the age of 65 years, to continue in office till his successor is appointed and enters upon his office:

Provided the Vice-Chancellor shall not continue as such for a period exceeding six months.

- (3) The Vice-Chancellor may, by writing under his hand addressed to the Chancellor, resign his office.

- (4) The Vice-Chancellor shall be the Principal Academic and Executive Officer of the University and shall rank next to the Chancellor and shall exercise general supervision and control over the affairs of the University and give effect to the decision of all the authorities of the University. He shall also exercise such other powers and perform such other duties as may be delegated to him by any authority or body of the University or as may be prescribed by Statutes, Ordinances or Regulations.
- (5) 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 the action taken by him on such matter-

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

Provided 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 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 Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

- (6) The Vice-Chancellor shall be a whole time salaried officer of the University.
- (7) The emoluments and other terms and conditions of service of the Vice-Chancellor shall be prescribed by the Statutes.
- (8) The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Executive Council with the approval of the Chancellor from time to time.
- (9) The Vice-Chancellor shall exercise any other power shall perform any other power as may be prescribed by the Statutes.
- (10) If the Vice-Chancellor by reason of his leave, illness or any other cause is temporarily unable to exercise the powers and perform the duties of his office or if a vacancy occurs in the office of the Vice-Chancellor by reason of death, resignation or expiry of the term of his office or otherwise, then during the period of such temporary inability, or pending the appointment of Vice-Chancellor as the case may be, the Pro-Vice-Chancellor, if there be any, shall exercise the powers and perform the current duties of the Vice-Chancellor:

Provided that if for the time being there is no Pro-Vice-Chancellor, the Chancellor may appoint the senior most Dean of the Faculty and if there is no Dean in the University for the time being senior most Professors to exercise the powers and to perform the current duties of the Vice-Chancellor”.

Substitution of Section 12. **10.** For Section 12 of the principal Act, the following Section shall be substituted, namely:-

Pro-Vice-Chancellor.

“12(1) The Executive Council may, if it is deemed expedient to do so appoint a Pro-Vice-Chancellor for such term as may be decided by the Executive Council and the Pro-Vice-Chancellor shall have powers and perform such duties as may be prescribed by the Statutes.

(2) The Executive Council may instead of appointing a full time Pro-Vice-Chancellor appoint a Professor, on the recommendation of the Vice-Chancellor to be a part-time Pro-Vice-Chancellor in addition to his own duties as Professor.

(3) The emoluments and other terms and conditions of the Pro-Vice-Chancellor shall be prescribed by the Statutes”.

Substitution of Section 18. **11.** For Section 18 of the principal Act, the following Section shall be substituted, namely:-

THE COURT

“18(1) The Court shall consist of the following persons, namely:-

- (i) The Chancellor;
- (ii) The Vice-Chancellor;
- (iii) The Pro-Vice-Chancellor, if any;
- (iv) The Deans’ of faculties of post-graduate classes;
- (v) Heads of post-graduate departments;
- (vi) Secretary (Education), Government of Arunachal Pradesh;
- (vii) Secretary (Finance), Government of Arunachal Pradesh or his nominee, not below the rank of deputy Secretary;
- (viii) Director of Public Instruction;
- (ix) Director (s) of Higher/ Technical Education;
- (x) Principals of affiliated college by rotation to be nominated by the Vice-Chancellor in order of seniority;
- (xi) Principal of constitutional colleges, of any;
- (xii) Two Professors (other than Heads of Departments);

Two readers and two lectures to be nominated by rotation by the Vice-Chancellor. Of these six persons at least two shall be women;

- (xiii) Two post graduate students (one of them shall be women) having good academic record to be nominated by the Vice-Chancellor;

Provided that student to be so elected must have been a student of the University for at least one year prior to his election:

Provided further that no student who has taken more than one year in excess of the period prescribed for the course of which he is a student would be eligible for such election.

- (xiv) One officer to be nominated by the Vice-Chancellor;
- (xv) One non-teaching employee of the University to be nominated by the Vice-Chancellor;
- (xvi) Three lecturers from affiliated colleges by rotation to be nominated by the Secretary, Department of Education of the State Government;
- (xvii) Three members of the Arunachal Pradesh Legislative Assembly to be nominated by the Speaker of the Assembly;
- (xviii) Three senior teachers of Higher Secondary Schools to be nominated by the Director of Public Instruction;
- (xix) Five persons including two women, distinguished in literature, art, law, science, medicine, engineering industry, commerce, social service and public life to be nominated by the Chancellor.

- (2) The terms of members other than Ex-officio members shall be three years.
- (3) The Court shall meet at least once a year, other than for convocation on a date to be fixed by the Vice-Chancellor. The Court may also meet more than once at such other time; as it may from time to time decide.
- (4) The Vice-Chancellor, may whenever he thinks fit, and shall upon a requisition signed by not less than one third of the total number of members convene a meeting of the Court. Such meetings on the requisition shall be held, within fifteen days of the receipt of the requisition
- (5) . Twelve members shall form the quorum of the meeting of the Court:

Provided that no such quorum shall be required at Convocation.

- (6) The Court shall be an advisory body and subject to the provisions of the 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 improvement and development of the University.

- (b) to consider and pass resolution on annual report and the annual account of the University and the audit report on such account.
- (c) to advise the Chancellor 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”.

12. For Section 19 of the principal Act, the following Section shall be substituted, namely:-

Substitution
of Section
19

“19 (1) The executive Council shall be the principal executive body of the University and shall consist of the following members:-

Executive
Council.

- (i) The Vice-Chancellor;
 - (ii) The Pro-Vice-Chancellor, if any;
 - (iii) The Secretary, Education, Government of Arunachal Pradesh;
 - (iv) The Secretary, Finance, Government of Arunachal Pradesh;
 - (v) Two deans of faculties by rotation on the basis of seniority, to be nominated by the Vice-Chancellor;
 - (vi) One Professor (other than a Dean) by rotation to be nominated by the Vice-Chancellor on the basis of seniority.
 - (vii) One Reader, by rotation to be nominated by the Vice-Chancellor on the basis of seniority;
 - (viii) One Principal of the affiliated colleges by rotations to be nominated by the Secretary, Education Department of the Government of Arunachal Pradesh;
 - (ix) Two members of whom one should be a woman to be nominated by the Chancellor;
 - (x) A nominee of the chairperson of the University Grants Commission;
 - (xi) Two senior Professors of other Universities to be nominated by the Vice-Chancellor in consultation with the Vice-Chancellor of the University concerned.
- (2) Six persons of the Executive Council shall form the quorum for meeting of the Executive Council.
- (3) The Executive Council shall hold, control and administer the property and fund of the University and shall conduct all administrative affairs of the University not otherwise provided for.

(4) The Executive Council shall exercise such other powers and perform such duties as may be prescribed by the statutes.

(5) The term of the members other than the ex-officio members shall be three years”.

Amendment
of Section 20.

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

Academic
Council.

“(2) The Academic Council shall consist of the following members:-

- (i) The Vice-Chancellor;
- (ii) The Pro-Vice-Chancellor, if any;
- (iii) The Controller of Examination;
- (iv) The Deans of the faculties;
- (v) All Heads of Departments of the University;
- (vi) Where there is no department in a subject in the University, the senior most teachers from the affiliated colleges, in that subject shall be nominated by the Secretary, Education Department of the Government of Arunachal Pradesh;
- (vii) One Professor of each Department of the University other than the Heads of Departments to be nominated by the Voice –Chancellor;
- (viii) All Principals of affiliated/constituent colleges;
- (ix) Director of Public Instruction/ Director of Higher Education/ Additional Director of Higher Education or his nominee, not below the rank of Joint Director;
- (x) Three persons of academic eminence to be nominated by the Chancellor from outside the University.

(3) The terms of the members of the Academic Council other than the ex-officio members shall be three years.

(4) One-third of the members shall form the quorum for a meeting.

(5) The Academic council shall exercise such powers and perform such duties as may be prescribed by the Statutes”.

14. In Section 21 of the principal Act, for sub-section (3), the following sub-sections shall be substituted, namely:-

“(3) the Planning Board shall consist of the following:-

Amendment
of Section 21.

PLANNING
BOARD.

- (i) The Vice-Chancellor;
 - (ii) The Pro-Vice-Chancellor;
 - (iii) The Secretary, Department of Planning Government of Arunachal Pradesh;
 - (iv) Two Deans of Faculties to be nominated by the Vice-Chancellor;
 - (v) One Professor other than a Dean to be nominated by the Vice-Chancellor;
 - (vi) One Head of the department, other than Dean and Professor, to be nominated by the Vice-Chancellor;
 - (vii) One Principal out of Principals of affiliated colleges, by rotation to be nominated by the Vice-Chancellor;
 - (viii) Two outside experts, experienced in University Planning Administration and academic affairs to be nominated by the Chancellor;
- (4) The term of office of the members, other than the ex-officio members shall be three years.
 - (5) One-third of the members shall form the quorum for a meeting.
 - (6) The Planning Board shall exercise such powers and perform such duties as may be prescribed by the Statutes”.

Amendment
of Section 22.

15.

For Section 22 of the principal Act, the following Section shall be substituted, namely:-

FINANCE
COMMITTEE

“22 (1) The Finance Committee shall consist of the following:-

- (i) The Vice-Chancellor;
- (ii) The pro-Vice-Chancellor, if any;
- (iii) The Secretary, Finance Department of the Government of Arunachal Pradesh;
- (iv) The Secretary, Education Department of the Government of Arunachal Pradesh;
- (v) One Principal affiliated/ constituent college to be nominated by the Vice-Chancellor;
- (vi) One dean to be nominated by the Vice-Chancellor;

(vii) Finance officer of the University.

(2) All members of the Finance Committee other than the ex-officio members shall hold office for a term of three years.

(3) Four members shall form the quorum for a meeting of the Finance Committee.

(4) The powers and functions of the Finance Committee shall be prescribed by the Statutes”.

Insertion of
new Section
22A.

16. After Section 22 of the principal Act, the following section shall be inserted, namely:-

“22A. The constitution, powers and functions of the faculties shall be prescribed by Statutes”.

Faculties.

17. In Section 23 of the principal Act, the words “Faculties and such” shall be omitted.

Amendment
of Section
23.

18. After Section 23 of the principal Act, the following Section shall be inserted, namely:-

Insertion of
new Section
23A.

“23A. (1) There shall be Selection Committees for making recommendations to the Executive Council for appointment to the posts of Professors, Readers, Lecturer, Registrar, Controller of Examinations, Finance Officer, Librarian and any other officers of the University, as may be provided by the Statutes.

(2) The composition of the selection of the committees the procedure to be followed by the Selection Committees in making the recommendations, the power of the Executive Council in making appointments etc., shall be prescribed by the Statutes”.

19. In Section 24 of the principal Act, after clause (x) the following clause shall be inserted, namely:-

Amendment
of Section
24.

“(xa). the withdrawal of degrees, diplomas, certificates and other academic distinctions for good and sufficient reasons”.

20. (i) In Section 25 of the principal Act, for the words “with the approval of the Visitor” appearing in sub-sections (5), (6) and (7) shall be omitted.

Amendment
of Section 25.

(ii) in sub-section (8) for the words “with the consent of the Visitor” and the words “taken with the approval of the Visitor” shall be omitted.

21. In sub-section (2) of Section 26 of the principal Act, after word “made” and before the word “be”, the word “may” shall be inserted.

Amendment
of Section 26.

Substitution of Sub-section (3) of Section 28.

22. In Section 28 of the principal Act, for sub-section (3), the following sub-section shall be substituted namely:-

“(3) A copy of the Annual Report as prepared under sub-section (1) shall also be submitted to the State Government”.

Amendment of Section 29.

23. (i) In sub-sections (1) and (2) of Section 29 of the principal Act, for the words “Comptroller and Auditor General of India”, the words “the Director of Accounts or by any other authority, as may be directed by the State Government”, shall be substituted.

(ii) After sub-section (3) of Section 29 of the principal Act, the following sub-section shall be inserted, namely:-

“(4) A copy of the Annual Report as prepared under sub-section (1) shall also be submitted to the State Government.

24. For Section 30 of the principal Act, the following Section shall be substituted, namely:-

Substitution of Section 30.

“30 (1) Every employee or a teacher 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 or the teacher concerned.

Conditions of service of the employees and teachers.

(2) Any dispute arising out of a contract between the University or its employees or teachers, shall, at the request of the employee or the teacher as the case may be or at the instance of the University be referred to a tribunal consisting of one member appointed by Executive Council, one member nominated by the employee or the teacher concerned as the case may be and one member appointed by the Chancellor who shall be Chairman of the Tribunal.

(3) The decision of the Tribunal shall be final and shall not be questioned in any Court of law.

(4) No suit or proceeding shall lie in any Court of law in respect of any matter which is required by sub-section (2) to be referred to the Tribunal.

(5) The Tribunal shall have power to regulate its own procedure.

(6) Nothing contained in any law for the time being in force relating to arbitration shall apply to the proceedings before the Tribunal”.

25. For Section 32 of the principal Act, the following Section shall be substituted, namely:-

Substitution of Sub-Section 32.

“32. 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 of the Principal or the management of any such College or Institution as the case may be and thereupon the Executive Council may confirm, modify or reverse the decision appealed against”.

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| 26. | In sub-section (2) of Section 33, for the words “Government Provident Fund”, the words “General Provident Fund” shall be substituted. | Amendment of Section 33. |
| 27. | In Section 40 of the principal Act, the words “under intimation to the Central Government” shall be omitted. | Amendment of Section 40. |
| 28. | In Section 41 of the principal Act,-

(i) In clause © the words “with the approval of the Visitor” shall be omitted.

(ii) In clause (d) for the word “Visitor”, the word “Chancellor” shall be substituted.

(iii) In proviso to clause (d) the words “the Visitor or” shall be omitted.

(iv) In clause (e) the words “with the approval of the Visitor” shall be omitted | Amendment of Section 41. |
| 29. | After Section 42 of the principal Act, the following Sections shall be added, namely:-

“43 (1) Every Statute, ordinance or Regulation made under this Act shall be published in the Official Gazette. | Addition of new Section 43 and 44. |
| Publication of Statutes, Ordinances and | “43 (1) Every Statute, ordinance or Regulation made under this Act shall be published in the Official Gazette. | |
| Regulations in the Official Gazette. | (2) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette. | |
| Official Gazette. | (3) The power to make Statutes, Ordinances or regulations shall include the power to give retrospective effect from a date not earlier than the Arunachal University (Amendment) Act, 1993 to the Statutes, Ordinances and regulations or any of them, but no retrospective effect shall be given to any Statute, Ordinance or Regulation so as to prejudicially affect the interest of any person to whom the Statutes, Ordinances or Regulations may be applicable”. | |
| Savings. | “44. Notwithstanding anything contained in this Amendment Act any decision given, order made, any action taken or any proceedings commenced under any of the provisions of the Act or Rules, Statutes, Ordinances, Regulations in force immediately before the commencement of this Act, shall in so far as they are not inconsistent with the provisions of this Amendment Act shall continue to be in force and shall be deemed to have been given, made, done, taken or commenced under the provisions of this Act”. | |
| Amendment of Second Schedule. | 30. (1) In Second Schedule of the principal Act:-

(i) Paragraphs 1 (1) to 1 (10) shall be omitted; | |

- (ii) Paragraphs 3 (1) shall be omitted;
 - (iii) Paragraphs 3 (3) shall be omitted;
 - (iv) Paragraphs 8(4) shall be omitted;
 - (v) Paragraphs 8(1) shall be omitted;
 - (vi) Paragraphs 9 (1) and clause (xv) of sub-para (2) of para 9 shall be omitted;
 - (vii) Paragraphs 10 shall be omitted;
 - (viii) Paragraphs 12 (1) shall be omitted;
 - (ix) Paragraphs 14 shall be omitted;
- (2) After sub-para (1) of para 15 of the second Schedule of the principal Act, the following sub-para shall be inserted namely:-
- “(1A) The Registrar shall be the Ex-officio Non-Member Secretary of the Selection Committees excepting for the Selection Committee for appointment of the Registrar”.
- (3) For sub-para (2) of para 15 of the Second Schedule of the principal act, the following sub-para and the table thereof shall be substituted:-
- “(2) The Selection Committee for appointment to the posts specified in column 2 of the table below shall consist of the Vice-Chancellor, the Pro-Vice-Chancellor, if any, a nominee of the Chancellor, and the persons specified in the corresponding entry in column 3 of the said table.

TABLE

1	2	3
1.	Professor/ Reader	Three persons not in the service of the University, nominated by the Vice-Chancellor, out of a panel of names recommended by the Planning Board for their special Knowledge of or interest in the subject with which the Professor or Reader, as the case may be, will be concerned
2.	Lecturer	<ul style="list-style-type: none"> (i) The Head of the Department; and (ii) Two persons not in the service of the University nominated by the Vice-Chancellor out of a panel of names recommended by the Planning Board for their special knowledge of or interest in subject with which the lecturer will be concerned.

3. Librarian
 - (i) Two persons not in the service of the University, who have special knowledge of the subject of Library Science or Library Administration, to be nominated by the Executive Council; and
 - (ii) One person, not in the service of the University, nominated by the Planning Board.

4. Principal of College or Institution maintained by University.

Three person not in the service of the University of whom two shall be nominated by the Executive Council and one by the Planning Board for their special knowledge of or interest in a subject in which instruction is being provided by the college or Institution”.