



Government of Andhra Pradesh

**AMENDMENTS TO THE
OSMANIA, ANDHRA AND SRI VENKATESWARA
UNIVERSITIES' ACTS**

**Recommendations of the
Committee on Comprehensive Education Bill**

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PRINTED AT
THE ANDHRA PRADESH GOVT. TEXT-BOOK PRESS,
HYDERABAD.

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INTRODUCTION

Among the three terms of reference given by the State Government to the Committee in its G. O. Ms. No. 272 Education dated 20-3-1974 (*vide* Appendix I), the simplest was the one which referred to the Universities. The idea was implicit in the reference that no major overhaul of the Acts of the three general Universities of the State was intended but only such amendments as were considered "urgent and necessary". The Committee, therefore, realised that, unlike the first reference to the Committee on the Comprehensive Education Bill which involved almost a critical and synoptic review of the educational system of the State, particularly at the school level, the reference to the Universities required more a mending of the fences through "urgent and necessary" amendments to the existing Acts than any substantial recasting of the Acts themselves. In determining amendments which were both urgent and necessary, the Committee availed itself fully of the wealth of information and thinking contained in reports of the Radhakrishnan Commission on Universities (1948) the Report of the Model Act Committee headed by Dr. Kothari (1961-1964), the chapters on Higher Education of the Report of the National Education Commission (1964-1966), and the latest report of the Gajendragadkar Committee on University governance set up by the U. G. C.

It was in 1966 that the State Legislature had enacted a number of amendments to the Acts of the three Universities, namely, Osmania, Andhra and Sri Venkateswara, as a sequel to the recommendations, made by a conference of Vice-Chancellors and eminent educationists including a representative of the U. G. C., held at Hyderabad in October 1964. These amendments had attempted some significant changes in the composition and strength of the various Authorities of the University such as the Senate, the Syndicate and the Academic Council and also with regard to the appointment, tenure, and conditions of service of the principal officers of the University, particularly the Vice-Chancellor. The Committee, while recommending amendments to the already amended Acts, took into account the impact of these amendments on the governance of these Universities during the intervening years. Even though it is a little less than a decade since the last amendments were effected, the problems of University governance in the State, as in the rest of the country, have rapidly changed due to a variety of factors, of which the most important are the increase in the number of affiliated colleges as well as post-graduate centres resulting in a vastly increased number of students, teachers and the consequential challenges to the academic and

administrative governance of Universities and Colleges. As against a total number of 81 affiliated colleges, both Government and aided, under these three Universities in 1965, the number today is 190. All the Universities have established fullfledged post-graduate centres outside their original campuses and two atleast of these centres are bidding fair to develop soon into independent Universities, not merely because of popular pressures which are always there for increased facilities for Higher Education, but also justified even according to the physical and academic norms indicated by the Gajendra-gadkar Committee. With the increase in numbers of students, there has been a corresponding urge on their part to have an effective say in the shaping and governance of the academic communities of which they are such an integral and important part. While there may be differences of opinion in regard to the manner and extent to which the students should be associated with the academic and administrative governance of Universities and colleges, there is no longer a single shade of responsible opinion anywhere in the country which denies the legitimacy of this urge. The Committee was very much aware of this position while making its recommendations on student participation in University governance and the presence on the committee of five student leaders, the positive thinking of the Gajendragadkar Committee on this issue, as well as the steps already taken by Universities like Kerala, Delhi, etc. in this direction, strengthened the inclination of the Committee to concede student participation on the University bodies, not excluding the Syndicate in regard to which neither the Gajendragadkar Committee nor any of its predecessors like the Radhakrishnan or the Kothari Commission had made any radical recommendation.

At the same time, the Committee was very anxious that, whatever amendments it proposed, should not give rise to any serious controversies on a basic issue like University autonomy which would have nation-wide repercussions, particularly in view of some amendments proposed in 1966 which gave rise to controversy both inside the State and at the national level. The Committee adopted this principle as the necessary precondition to its entire thinking on the question of amendments. Each one of the amendments suggested by the Committee, whether in regard to the Authorities, or the Officers of the Universities, has therefore been made keeping in view the universally accepted values of the governance of Higher Education in the contemporary academic world. The presence of five Vice-Chancellors on the Committee was an immense advantage from this point of view and the various notes of reservation or dissent submitted by the members even on issues where a consensus was available, reflect the Committee's concern to give due place and prominence to every shade of opinion, so that the Government and the legislature could

have before them a cross-section of opinion on all vital issues bearing on University governance. The Chairman himself had a round of free and frank discussions at each of the three Universities with the Vice-Chancellors, senior teachers and local members of the Syndicate at which all the major issues which the committee was considering were discussed and their reactions gathered. It may be said that the outcome of these deliberations as well as the formal recommendations made by the Universities to the Committee through the Government have been fully considered and mostly accepted.

Keeping these considerations in view, the Committee unanimously decided to make its major recommendations in the following three areas of University governance.

1. Authorities of the University.
- ~~2.~~ Student representation in University Authorities.
3. Principal Officers of the University.

In addition to the above three areas, the Committee also considered certain amendments suggested by the Universities themselves in regard to matters affecting them individually. The Committee's concern was to introduce an element of uniformity into the Acts of the three Universities only in regard to the major areas of University governance but at the same time preserve such identity and uniqueness as each one of the three Universities had acquired and established through its own individual history and tradition. The Committee, therefore, rejected at the very outset the idea of producing identical Acts for all the three Universities in the State.

(1) Authorities of the University

Senate:

The Committee took up for consideration (a) the powers and functions and (b) the composition of the Senate. In regard to the powers and functions of the Senate, the provisions in all the existing Acts were more or less identical, making the Senate in effect the apex body among the various authorities of the University. Whereas in the Acts of the Osmania and Sri Venkateswara Universities, the supremacy of the Senate was more implied than explicitly stated, section 16 (1) of the Andhra University Act was quite specific and read as follows :

“ The Senate shall be the supreme governing body of the University and shall have power to review the action of the Syndicate and the Academic Council (save where the Syndicate and the Academ

Council have acted in accordance with powers conferred on them under this Act, Statutes.”

The critical issue before the Committee was whether the specific reference to the “supremacy” of the Senate in the Andhra University Act, should be deleted as in the Acts of the other two Universities, or whether the provisions contained in Section 16 (1) of the Andhra University Act, declaring the Senate as a supreme body, should be incorporated either fully or in a modified form in the other two Acts also.

Throughout the history of University legislation in India, the Senate has been accorded the highest position in the hierarchical structure of University governance. This is probably the reason why the Radhakrishnan Commission Report, in its chapter on Constitution and Control, confined itself merely to the composition and size of the Senate, depending on the University being unitary, federative or teaching and affiliating in character, and did not raise the issue specifically of its powers *vis-a-vis* other authorities. Even in the British pattern after which the pattern of University Governance in India has been largely modelled is, according to the Robbin’s Committee report, a “supervisory body, normally large and of predominantly lay membership”. The Robbin’s Committee is, however, quick to add that it is no part of the function of the Court (Senate) to interfere in the business of internal academic organisation, still less in matters of syllabuses and curricula. The National Commission on Education (1964-1966) of which the then Chairman of the University Grants Commission was himself the head, observes that the Court (*i. e.* Senate) should be “the policy-making body of the University”. The position, however, in regard to the place of the Senate in University governance is viewed very differently by the recent Gajendragadkar Committee Report. For the first time in the history of University governance in the country, an important committee, like the Gajendragadkar body, does not approve of the Senate being referred to as the “supreme authority” or the “supreme governing body” and says unambiguously that such expressions, used to describe the Court (*i. e.* Senate) in the Acts of many Universities, may be dropped. On the other hand, the Gajendragadkar Committee is of the view that it should be a “deliberative body”. It may be pertinent to quote the exact words of the Gajendragadkar Committee which are as follows :—

“Since we are visualising a division of functions between the University authorities rather than a hierarchical structure, the concept of a supreme authority or supreme governing body would be out of place”.

The Committee was, therefore, faced with a very difficult choice in this matter and there was considerable diversity of opinion within the

Committee. (please see the notes of reservation at Appendix V (a), (b) & (c) submitted by the Vice-Chancellors of Andhra, Osmania and Andhra Pradesh Agricultural Universities). After considerable discussion, the committee, however, arrived at a consensus that, in any form of administration, the residue of authority must lie in one agency, after conceding the maximum measure of freedom, initiative and decision to every other segment in the power structure. In view of the fact that the Senate is the only authority where both the academic and lay elements collectively participate, it should have an effective say in the broad policies and programmes of University governance. For this purpose, the Committee was of the view that, in the final analysis, the Senate should be referred to as the supreme authority and that the existing provision in the Andhra University Act in this regard should be extended to the other two Universities also. The Committee, however, decided that the saving clause under section 16 (1) of the Andhra University Act, limiting the review to cases where the Academic Council or Syndicate have acted in accordance with powers conferred on them under this Act, Statutes, should be deleted. According to this recommendation of the Committee, the Senate is intended to be the supreme authority of the University.

In regard to the composition of the Senate, the Committee was in agreement with the views of the Gajendragadkar Committee in regard to its over all strength as well as the proportion in which the academic and the lay elements should be represented. However, considering the differing sizes of the three Universities in the State, the Committee recommended that the strength of the Senate in any of the three Universities may range between 100 and 150, depending upon the size of the University in terms of its Colleges, teacher force and student enrolment. It was decided that while the academic elements, which will also include students, should constitute roughly 60% of the Senate, the others, such as registered graduates, legislators, and representatives of the learned professions, Industry, Commerce and Banking, should be about 40%. The strength of the Senate as well as its composition for each of the three Universities has been approximately worked out in accordance with these principles.

Academic Council :

In regard to the Academic Council, the Committee was of the unanimous view that in keeping with the expert thinking of all the important bodies from the Radhakrishnan Commission to the Gajendragadkar Committee, the Academic Council should not only be supreme in matters of academic governance but should also consist exclusively of academics. What, however, caused some concern to the Committee was the rather unwieldy size of the Academic Councils at present in the

Universities of the State. If the Academic Council in each University was to discharge its proper functions, its present size would have to be reduced and also some of the detailed functions it now attends to would have to be delegated either to Standing Committees which are more compact and can meet frequently, or leave details to the appropriate faculties and departments and confine itself more to bring about inter-faculty co-ordination and determination of major academic policies and programmes, transcending faculty and departmental frontiers. It would be appropriate in this context to cite the Gajendragadkar Committee's observation which is as follows :

“Matters such as approving the syllabus, the names of the examiners, moderators and tabulators, or reports of the examiners of research theses etc. need not go before the Academic Council only academic matters of general importance should be its concern”.

The Committee has, finally, recommended that the Academic Council be constituted as follows, in addition to the existing provision for other categories.

1. All University Professors and Heads of Departments who are not Professors.
2. 50% of Principals of Affiliated Colleges by rotation.
3. 50% of Principals of Oriental Colleges by rotation and
4. Student members, as provided for, in the section or Student representation which appears a little later in this introduction.

According to this recommendation of the Committee, the strength of the Academic Council in the three Universities will be roughly as follows :-

Osmania	194
Andhra	190
Sri Venkateswara	110

In the light of what the Gajendragadkar Committee has observed, the size of the Academic Council both in Osmania and Andhra will undoubtedly be large. But this cannot be helped, if provision is necessarily to be given to all the University Professors, as the Osmania University has a sanctioned strength of 61 Professors and the Andhra University has 75. In the case of Sri Venkateswara, the problem is not so acute as it has about 25 University Professors. From the Radhakrishnan Commission onwards, every high level body which has gone into

the size of the Academic Council has stressed the importance of its being manageable in numbers, so as to permit discussion in depth on major academic matters. In the light of the present provisional thinking of the State Government to establish in the near future two more Universities in the present territorial jurisdictions of Osmania and Andhra, this problem will perhaps be solved.

While it is agreed that the composition of the Academic Council should be exclusively academic, there is, however, one point which needs attention in the present composition of our Academic Councils and that pertains to due representation in the Academic Council for the younger teachers of Universities and Colleges. While the Professors are there in full strength, the younger teachers are almost conspicuous by their absence in the composition of our Academic Councils. This was a point which attracted the attention of the Robbin's Committee Report on Higher Education in regard to British Universities. They observed, "We have received from the Association of the University Teachers and the representatives of the Junior Teachers, allegations about the excessive power of the Professoriate. We were told that in some Universities all the important decisions about general academic policy rest in the hands of bodies composed predominantly of Professors. Thus, in English civic Universities, in Wales and in Scotland, professors out-number other academic staff on the Senate (*i. e.* Academic Council) in all cases where we have information and often by five or even ten to one. Both on questions of major policy and in the more intimate running of faculties and departments the non-professorial members of the staff of such Universities are said to feel that they have an inadequate share in determining the evolution of the society of which they are members". This point has some relevance to the situation in the Indian Universities also. In the limited time the Committee had at its disposal, it could not go into many details of this nature. But the Chairman is of the view that there is a definite case to inject a sufficient number of younger teachers, particularly those who have a good record of teaching and research, into the Academic Council, the faculties and the departments. The Academic Council may perhaps be given the power of co-option so as to redress this imbalance between the Professors and the younger teachers. But then, the total number will again swell.

Syndicate:

Traditionally, the Syndicate / Executive Council has been regarded as the supreme governing body of the University even as the Senate, as already observed earlier, has been described as the supreme authority. The image of the Syndicate, as the supreme governing body of the University, has been so well established in the long history of University governance in India that neither the Radhakrishnan Commission

(1948-1949) nor the Kothari Commission (1964-1966) specifically discussed the powers and functions of the Syndicate *vis-a-vis* the other authorities. It is the Gajendragadkar Committee that has really raised this issue and observed as follows :

“ The Executive Council / Syndicate of a University while being the principal executive body of the University, should not be deemed to be a governing Council in a hierarchical sense. The powers of the University should be shared between the different authorities. Apart from the fact that this is in accordance with the principle of checks and balances, an authoritarian body would hardly be the most suitable executive authority in a University ”.

In view of the very short time at its disposal, the Committee could not go into this question deeply, though it broadly agreed with the role assigned to the Syndicate by the Gajendragadkar Committee. The Committee's stand on the role of the Senate as the supreme authority is partly to be explained in this way. According to existing practice, the Syndicate, in all the three Universities, functions as the principal governing body of the Universities and even if there are some checks and balances provided in the Constitution of the Universities, it is doubtful whether in actual practice they are effective, as the frequency of the meetings of the two other Authorities namely the Senate and the Academic Council does not permit of any timely review or intervention. All that can be said is that the observation of a high level academic body like the Gajendragadkar Committee is timely and the powers, functions and procedures of the Syndicate / Executive Council of the Universities in the State needs be to gone into. We may consult the U. G. C.

In regard to the composition and strength of the Syndicate/ Executive Council, opinion from the Radhakrishnan Commission onwards has almost been identical. It should consist of members, between fifteen and twenty, and both the academic and the lay element should be well represented, with no objection to the academic element having a slight numerical majority over the lay element. The Committee, after detailed discussions, decided that the Syndicate be constituted as follows :

1. Ex-Officio representatives (the Vice-Chancellor, Secretary to Finance Department and Director of Higher Education).
2. Six representatives from the Senate by election (proportional representation through single transferable vote).
3. Four Representatives from the Academic Council.
(By election through the single transferable vote)
4. One Member of Parliament.

One Member of the State Legislative Council.

One Member of the State Legislative Assembly.
to be nominated by the Government, provided that one of these shall be from the Scheduled Caste or Scheduled Tribes failing which the Chancellor shall nominate a person to represent the Scheduled Caste/Scheduled Tribes.

The Committee also desired that the Governor may, nominate to the Syndicate a senior Professor of the University to correct the risk of senior teachers failing to get elected to the Syndicate from the Senate or the Academic Council. The Committee's recommendations are significant in the sense that they have curtailed the power and extent of nominations to the Syndicate either by the Government or by the Chancellor and introduced a larger elected number from the Senate and the Academic Council. The Committee also recommended that the existing bar on the employees of the University and those in *statu pupillari* seeking election to the Syndicate be removed. According to the existing practice, teachers even if they be employees of the University, could get elected to the Syndicate only from the Academic Council but the Committee's recommendation now liberalises the position to the extent of any member of the Senate or Academic Council (teaching, non-teaching or student) getting elected to the Syndicate through proportional representation by the single transferable vote.

Council of Affiliated Colleges :

In addition to the existing authorities of the Universities, the Committee recommended that two more authorities be created, namely, (1) Council of Affiliated Colleges and (2) Students Council. In recommending the Council of Affiliated Colleges, the Committee's thinking was largely influenced by the large number of affiliated colleges under the three Universities and the lack of sufficient opportunity for the affiliated colleges in the existing power structure for communication or dialogue with the Universities, in those administrative and academic matters which are unique to them as a group. The problem of the Affiliated Colleges and their relationship with the affiliating University is, in one sense, an old legacy which came into our system of Higher Education, when the London University model, as a merely examining body with little or no share or concern in teaching, was adopted during the latter half of the 19th century and the early period of the twentieth. While the London University emancipated itself from this defective structure, many Indian Universities, particularly the affiliating ones, are still saddled with this defect of the past. Even as far back as 1919, the main concern and purpose of the Michael Saddler Commission was in regard to the chaotic

conditions prevailing in the affiliated colleges of the Calcutta University, particularly those in mofussil Bengal. The recommendations of the Saddler Commission were not fully implemented because in 1921 dyarchy was introduced and education became a transferred subject and the provincial governments pleaded financial inability. At present, the affiliated colleges do find representation on all the authorities of the University, but they do not have an independent forum where they could have a direct dialogue with the University. The fact remains that the affiliating Universities are largely concerned with examining and awarding degrees, rather than any effective association with and improvement of instructional standards in affiliated Colleges. The only institutional arrangement in this regard is at present the general Inspection Commission which the University sends out to affiliating colleges once in every five years. What effective impact the general Inspection Commission's reports have had on the teaching standards in affiliated Colleges, is a matter for enquiry. The Kothari Commission (1964-1966) in its chapter on affiliated colleges fully realised this situation and suggested, as a remedial step, that "there should be a Council of Affiliated Colleges in every Affiliated University consisting of the representatives of the University and the Colleges". It went on to say that it "may be advisable to associate with it, as members, a few representatives of the other Universities in the State and from outside. The functions of the Council to be laid down by the Statutes of the University, would be to advise the University on all matters relating to affiliation of colleges, to help in the implementation of the policy of the University in this matter, to keep a close contact with the colleges with a view to help in their proper development, and to evaluate periodically whether the standards of colleges are being steadily raised. This is by no means an easy assignment and it can be discharged satisfactorily only if members with a high sense of duty and keen understanding of educational problems are selected."

The Gajendragadkar Committee has reinforced the recommendation of the Kothari Commission by saying that the statutes ought to provide for a Council of Affiliated Colleges. The second part of its report dealing with Colleges in which the Committee promised to elaborate the functions and the composition of the Council of Affiliated Colleges, has not yet been published. The Committee has, however, recommended the creation of a Council of Affiliated Colleges representing principals of the affiliated Colleges, representatives of the University and the State Government to be established by statute. The Committee has also suggested that the powers and functions of the Council to be prescribed by statute shall be on the lines suggested by the Kothari Commission and that the Vice-Chancellor shall be the Chairman of the Council.

Students' Council :

The general principle of student participation in the decision-making bodies of the Universities has already been referred to earlier. Even as far back as 1948-1949, the Radhakrishnan Commission recommended the desirability of student participation in University governance. The Kothari Commission (1964-1966) also repeated this suggestion. The Gajendragadkar Committee, however, went into this question in much greater depth and, apart from recommending student representation on bodies like the Senate and the Academic Council, they suggested that a body called Students' Council providing students with the opportunity of a separate forum for themselves be created. The Committee, in addition to conceding student representation on the Authorities of the University details of which will follow in a later part of this introduction, also agreed that the Act may provide for the formation of a new Authority called Students' Council, to be set up by statutes on the lines of the recommendation of the Gajendragadkar Committee's report. While prescribing the functions and composition of the Students' Council the Committee hopes that the statutes will take into account the suggestions made by the Gajendragadkar Committee Report which the Committee strongly endorses.

(2) Student representation

Detailed references have already been made to the importance which the Committee attaches to the participation of students on the decision-making authorities of the University. The Committee, therefore, suggested that students be represented in adequate numbers in the Senate, the Academic Council, the Board of Studies and Faculties in the manner detailed below. In the case of the Syndicate, however, the student members of the Committee made a strong plea that exclusive representation to the students be given on this body also but the Committee was of the view that no exclusive representation for students was perhaps necessary, in view of the Committee's recommendation elsewhere that the present restrictions on elections from the Senate and the Academic Council to the Syndicate on certain categories of persons be removed and all members of these two authorities be given the opportunity to contest elections to the Syndicate through proportional representation by the single transferable vote,

Senate :

About 15% of the total strength of the Senate may be given to the student representatives, equitably spread over the following categories.

- (i) Students in general of (a) the Campus and Constituent Colleges (b) Professional Colleges both Campus, Consti.

tuent and Affiliated (c) Affiliated Colleges and (d) Oriental Colleges.

- (ii) Students who have distinguished themselves in Games and Sports according to prescribed criteria.
- (iii) Students who have distinguished themselves in extra-curricular activities like debating, dramatics, fine arts etc. according to prescribed criteria.

The total number of seats reserved for student representatives shall be distributed equitably among the three categories and the representatives on the Senate chosen by direct election from each one of these categories. For this purpose, the total number of student voters may be divided by the number of seats allotted on the Senate to each category and the Colleges delimited into constituencies of the prescribed strength. For example, if the number of seats for the general students for representation on the Senate in category (1) above is ten and the total number of students is 30,000 each constituency will consist of College / Colleges providing a student population of about 3,000. The example is intended to be illustrative. The details will have to be worked out by the Universities. The election shall be by secret ballot and not by any other device. For categories (ii) and (iii), the Universities will have to devise the most appropriate constituencies.

Academic Council :

Membership of the Academic Council shall be open only to students with top academic performance in their subjects as shown at the previous qualifying examination for entry into the course in which they are studying. The primary membership will, however, be not directly on the Academic Council but through the Board of Studies from which there shall be one or more student representatives to the various faculties, to be elected as under.

- | | | |
|---------------------------------|-----|--|
| (a) Medical | ... | Two students, one each from the undergraduate and post-graduate courses. |
| (b) Engineering and Technology. | ... | Two students one each from the undergraduate and post-graduate courses. |
| (c) Law | ... | One Student. |
| (d) Education | ... | One Student. |
| (e) Arts | } | 14 seats to be distributed among these in proportion to student members. |
| (f) Social Sciences | | |
| (g) Sciences | | |
| (h) Commerce | } | |

Those elected to the faculties shall also be members of the Academic Council.

As a necessary corollary to student representation as suggested by the Committee on all the Authorities of the University, the Committee recommended that the present restriction in all the University Acts on persons in *statu pupillari* seeking membership of the University Authorities shall be deleted. With a view to avoiding certain students whose main objective in staying on in the University is other than academic, the committee decided that no student shall be eligible for election, if a period of eight years after passing the high school examination or six years after passing the Intermediate, P. U. C. examination has elapsed, provided, however, that, in the case of students who dropped out of the collegiate system during this period for any valid reason, may be given relaxation to the extent of not more than two years. Other restrictions which the Committee thought it desirable to place on students seeking election, were (a) that no student in the first year of his study in the University shall be eligible for election to any of the bodies and (b) that no student elected to any authority will continue to hold his membership soon after he ceases to be a student of the University or incurs any other qualification as may be prescribed by statutes.

(3) Principal Officers of the University

(a) *Chancellor* : The Committee did not recommend any change in this regard.

(b) *Pro-Chancellor* : The Committee was of the view that the office of the Pro-Chancellor may be abolished. (please see Chairman's note of reservation at Appendix III)

(c) *Vice-Chancellor* : In regard to the manner of appointment of the Vice-Chancellor, the Committee took the view that this question had been discussed at the time of the previous amendments in 1966 in great depth, after taking into account the views expressed by the Model Act Committee of 1961-1964, and decided that no change in the existing system of appointment of the Vice-Chancellor by the Chancellor was necessary. With regard to tenure, the Committee decided that the tenure of the Vice-Chancellor should be one term of five years. The Committee was also of the view that there should be no provision for renewal of the term. In regard to age, the Committee was of the view that no person shall continue as Vice-Chancellor beyond the age of 65, provided, however, that the Chancellor may, for reasons to be recorded in writing, appoint a person who has completed the age of 60, provided he can serve at least four full years before attaining the age of 65.

Emoluments : It was decided that the existing salary of Rs. 2,000/- per month may be raised to Rs. 3,000/- (lumpsum).

Post-retirement benefits : The Committee recommended that the Vice-Chancellor, on retirement, shall be eligible to receive a lumpsum payment at the rate of one months' salary for each month of leave surrendered. No pension shall be admissible.

Removal : The Committee was of the view that while the existing provision in the Acts should continue, the Judge enquiring into the allegations against the Vice-Chancellor could be preferably from outside the State. If this provision could not be incorporated into the Act for any reason, the Committee thought that a convention of this nature should be established.

In regard to the other officers of the University, the Committee did not make any changes, except that it recommended the creation of (1) Dean of Student Affairs (2) Controller of Examinations and (3) Comptroller and Financial Adviser. To a suggestion arising in the committee that the office of the Pro-Vice-Chancellor may also be created to assist the Vice-Chancellor in the discharge of his onerous responsibilities, the Committee did not agree but said that, as an alternative, the office of the Registrar could be further strengthened.

State University Grants Committee

Even though the provision for the establishment of a State University Grants Committee has been made in the referential chapter on Higher Education in the Comprehensive Education Bill, nevertheless, it may not be out of place to make a mention of this body here as the State University Grants Committee is mainly intended to help the Universities and Aided Colleges in the allocation and distribution of Grant-in-aid. The National Commission on Education (1964-1966) was not very enthusiastic about the establishment of State University Grants Committees. It observed as follows :

“The Model Act Committee raised the question of University Grants Commissions or Committees being set up by the State Governments for Universities within the State, but made no specific recommendation. The Standing Committee of the I. U. B. was strongly against the establishment of such Committees in the State, holding that if the State Government required any advice, it should consult the U. G. C. We agree with this view. In giving grants to Universities, the questions of finance and standards, and collaboration between Universities outside a given State, are all intimately linked. It may lead to confusion if the

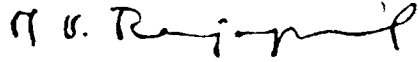
responsibility for co-ordinating standards was distributed amongst a number of bodies such as the central U. G. C. and the State U. G. Cs. It would also hinder the existing direct relationship between the U. G. C. and the Universities.”

It is now nearly 10 years since the National Commission on Education made these observations and it may be pointed out that circumstances have changed greatly and the Committee was of the view that the establishment of a State University Grants Committee would not only radically improve the existing situation in the timely determination and distribution of Block Grants to the Universities as well as annual grants to the Aided Colleges, but also in many matters compliment the work of the U. G. C. at the National level and not hinder it. The State Government has been receiving constant representations from the Universities as well as the Colleges that not only are their grants not determined in time but the releases are also not timely and desperate situations are being met by ad hoc ‘ways and means’ advances. The result is that the Universities and Aided Colleges are perpetually haunted by a chronic anxiety for their financial viability and consequently their academic work also suffers. The Committee has taken care to see that the State University Grants Committee will be headed by a distinguished educationist with status and emoluments not below that of a Vice-Chancellor of a University. It has also expressly stated that the State U. G. C. should work in close co-operation with the U. G. C. at the Centre and even seek its guidance in matters which are the major responsibility of the University Grants Commission at the Centre. The U. G. C. at the State level is expected to function as a useful medium between the State Government and Universities which, at present, are dealing with each other directly and facing embarrassing situations from time to time, particularly with regard to the determination and releases of funds. The Committee, therefore, hopes that with the provisions carefully drawn up for the establishment and functioning of the State U. G. C., it should create conditions for the more efficient functioning of the Universities and aided Colleges in the State in future.

It may also be mentioned in this context that the State Universities Grants Committees have been set up in some States like Bihar and Madhya Pradesh and that Uttar Pradesh is actively considering the establishment of such a body. It is reported that there have been some difficulties in the functioning of the Committee in Bihar but the Grants Committee of Madhya Pradesh is reported to be in good shape.

To sum up, Universities are no longer quiet oases of peace, contentment and progress, in an otherwise distracted world with its sick hurry and divided aims. The pressures and challenges of the outside world bear upon the Universities so much that the Universities are more following than guiding the values of the external world. The conflict could be "resolved" by choosing between two extreme alternatives, namely, either withdrawal into an ivory tower or get willingly merged with the market-place. The first choice is circumstantially impossible and the second is clearly undesirable. The via media between the two, which, despite many odds, is still attainable, lies in the strength and character of its internal administration namely, its Officers and Authorities. Universities have, therefore, to develop their own managerial competences and resources to stand up to these challenges squarely. The success of such effort depends largely upon the quality and competence of its Officers and Authorities. The Committee has in its own way endeavoured to strengthen these constituents of University governance, so that an efficient internal administration may contribute to the effective realisation of the academic goals for which Universities are really meant. In a recent study in America on Higher Education by the Carnegie Commission, five significant crises in Higher Education in that country were identified. These are (1) the crisis of numbers, (2) the crisis of finance, (3) the crisis of curricular relevance (4) the crisis of new priorities, and (5) the crisis of new scepticism. In regard to most of these challenges faced by higher education, both the developed and developing countries seem to be sailing in the same boat because these are roughly the challenges facing Indian Universities also, probably made a little more difficult or different by factors peculiar to our own ecology and national ethos. In facing these challenges with competence as well as confidence, the Universities require a strong and democratic internal administration which is to be continually reviewed and adapted to the evolving challenges. The Committee has tried its best to provide the Universities in the State through these amendments with a sound administrative infrastructure, so as to achieve a good, independent internal administration, avoiding the extremes, namely, of a diffuseness on the one hand where the focus of effective authority is hardly identifiable and on the other, one single Officer or Authority holding the key to the destinies of the academic community. Protection from these two extremes can alone save the Universities from improper external pressures and even more improper internal fissures. This is precisely the aim behind many of the amendments proposed as well as some of the ex-cathedra observations made in the course of this introduction.

The Committee sincerely hopes that the Government, before making up their mind finally on these proposed amendments, will seek the advice and guidance of the Ministry of Education, Government of India, the University Grants Commission and the Inter-Universities Board of India as these bodies have a vital concern in the preservation, promotion and coordination of standards in Higher Education.



(M. V. RAJAGOPAL)
*Secretary to Government (P. R.)
and Chairman, Andhra Pradesh
Comprehensive Education Bill
Committee.*

Hyderabad-500022,
Dated 20-8-1974

AMENDMENTS TO THE OSMANIA UNIVERSITY ACT 1959

CHAPTER I

Preliminary

1. No change.

2. Definitions:—

(a) to (g-1) no change.

(g-2) *Autonomous College* is a College on which the status of autonomy has been conferred by the University;

(h) no change.

(h-1) 'Student' is a person who has been admitted to a College and whose name is borne on the attendance register until the end of the Academic Year;

(i) & (j) no change.

(k) 'Recognised College' or 'Recognised Institution' means respectively a college or institution of higher education and research recognised by the University under conditions prescribed ;

(l) no change.

(l-I) "Secretary to the State Government" includes an Additional Secretary to Government or a Joint Secretary to Government;

(m) to (s)—no change.

(t) 'Academic year' means a period of twelve months from the 1st of July or any other period specially notified by the Syndicate in respect of all the colleges under the control of the University or any thereof in particular.

CHAPTER II

3. The University

(1) No change.

(2) The University shall be a Teaching and Affiliating University, and shall consist of a Chancellor, a Vice-Chancellor, a Senate, a Syndicate, an Academic Council, a Council of Affiliated Colleges and a Students' Council. It shall be a body corporate having perpetual succession and a common seal and shall sue and be sued by the said corporate name.

(3) no change.

(4) no change.

4. Powers, functions and objects of the University:—

(1) (a) to (g) no change.

(h) to institute and maintain colleges and hostels;

(h-1) to establish, maintain and manage or to affiliate Honours/*Autonomous* Colleges in any part of the university area outside the university campus.

(i) to transfer any or all the colleges or institutions maintained by the University to the administrative control of the Government on such conditions *as may be mutually agreed upon*;

(j) to (n) no change.

(o) to make special provision for the spread of Higher Education among *Scheduled Castes, Scheduled Tribes and other Classes of citizens educationally backward*.

(p) to (t) no change.

(u) to co-operate with other Universities, *in particular those within the State*, educational institutions and authorities in such manner and for such purposes as the University may determine;

(v) no change.

5. (1) first proviso is deleted.

Second proviso — delete the word *further*.

Add :

Provided further, that the University may transfer any college to any University newly established in the State.

(2) no change.

6. No change.

7. Deleted.

8. (1) No change.

(2) The State Government shall communicate to the Senate, to the Syndicate and *if in its opinion considered necessary to the Academic Council also*,* its views with reference to the results of such inspection or inquiry and may, after ascertaining the opinions of the Senate, the Syndicate and the Academic Council thereon, advise the University upon the action to be taken and fix a time-limit for action to be taken by the University.

(3) No change.

(4) The State Government may, where action has not been taken by the University within a *reasonable time* to their satisfaction, after considering any explanation furnished or representation made by the *Senate*, the Syndicate or the Academic Council, issue such directions as they may think fit, and the University shall comply with such directions.

*In matters which have academic implications, it would be both necessary and proper that the views of the Academic Council are also obtained before advice to the University on further action to be taken is indicated. As there is no provision at present to give such an opportunity to the Academic Council, the Chairman is of the view that such provision should be made in the Act.

CHAPTER III

Officers of the University @**9. Officers of the University :—**

The following shall be the officers of the University :—

- (i) The Chancellor.
- (ii) deleted.*
- (iii) The Vice-Chancellor.
- (iv) The Registrar.
- (iv-1) The Comptroller & Financial Adviser.
- (iv-2) The Controller of Examinations.
- (iv-3) The Dean of Student Affairs.
- (v) Such other persons as the Statutes may declare to be officers of the University.

10. no change.

11. (1) and (2) deleted.

****12.** (1) The Vice-Chancellor shall be appointed by the Chancellor.

Add:

(a) On attainment of the age of 65 years the Vice-Chancellor shall cease to hold office.

(b) No person who has completed the age of 60 years shall be considered for appointment as Vice-Chancellor.

Provided, however, that in cases considered exceptional by the Chancellor for reasons to be recorded in writing, the Chancellor may appoint a person who can serve atleast four full years before attaining the age of 65 years.

@ The Vice-Chancellors of Osmania and Andhra Universities suggested the appointment of a Pro-Vice-chancellor also. The Committee, however, did not agree to this.

*The deleted provision relates to the office of the Pro-Chancellor. Please see Chairman's note of reservation at Appendix III.

** (1) Sri Vavilala Gopalakrishnaiah disagreed with this and preferred the election of the Vice-Chancellor by the Senate.

(2) Please see note from Sri M. Venkaiah Naidu, Student Representative, Andhra University at Appendix IV.

* (2) and (3) no change.

****13.** (1) Subject to the provision of sub-section (2) of Section 12, the Vice-Chancellor shall hold office for a term of *five* years from the date of his appointment. (Rest to be deleted)

proviso.....no change.

(2) deleted.

(2) (a) The Vice-Chancellor shall be paid a salary of Rs. 3,000/- *per mensem*. He shall also be paid a conveyance allowance of one hundred and fifty rupees per mensem if he is not provided by the University with a motorcar for official use.

(b) He shall be provided with a reasonably furnished residence for which either the standard rent or 10 per cent of his salary whichever is less shall be recovered as rent exclusive of water and electricity charges, if he occupies the house provided by the University.

(c) The Vice-Chancellor shall on retirement be eligible to receive a lumpsum payment at the rate of one month's salary for each month of leave surrendered. No pension shall be admissible.

3 and 4. no change.

5. When the post of the Vice-Chancellor falls permanently vacant, either by resignation or otherwise, the vacancy shall be filled by the Chancellor by appointing another person as the Vice-Chancellor and the Vice-Chancellor so appointed shall hold office for a full term of *five* years.

* (2) Some members of the Committee felt that the selected Judge should be from outside the State. If, however, this provision cannot be incorporated in the Act for some reason an unwritten convention of this nature should be established. Law may kindly examine.

**The Chairman holds the view that the present term of three years is itself a change over the term of five years which existed before the 1966 amendments. He, therefore, suggests that the three year term may be retained but the maximum permissible renewal may be raised to three terms of three years each instead of two terms as at present.

*13. (A) Instead of (Second Amendment) read as (Third Amendment).

14. Powers and duties of the Vice-Chancellor

(1) The Vice-Chancellor, shall, by virtue of his office, be a member and chairman of the Syndicate, the Academic Council *the Council of Affiliated Colleges and the Students' Council*. He shall preside at the meetings of the Senate and at Convocations of the University in the absence or inability of the Chancellor to act.

(2) no change.

(3) He shall have power to convene meetings of the Senate, the Syndicate, the Academic Council, the Council of Affiliated Colleges and the Students' Council.

(4) no change.

(5) He shall have power to interpret the provisions of this Act, the Statutes, the Ordinances and the Regulations. Any person or authority aggrieved may, *within a period of 30 days appeal to the Chancellor, whose decision shall be final.*

Provided that—

(i) and (ii) no change.

(6) to (8) (b) no change.

15. The Registrar

(1) The Registrar shall be a whole time paid officer of the University appointed by the Syndicate on such terms as may be prescribed by the Statutes.

(2) He shall act as the Secretary of the Syndicate, the Senate, the Academic Council, *the Council of Affiliated Colleges and the Students' Council* and exercise such powers and perform such duties as may be prescribed.

15. (a) The Comptroller and Financial Adviser

(1) The Comptroller and Financial Adviser shall be a whole-time paid officer of the University appointed by the Syndicate on such terms as may be prescribed by the Statutes.

* The retention, modification or deletion of this clause may be examined by Law.

(2) He shall maintain the accounts of the University and also advise the University on all matters of income and expenditure.

(3) He shall be present at the meetings of the Finance Committee and participate in the discussions but shall not vote.

15. (b) *The Dean of Student Affairs* : (1) The Dean of Student Affairs shall be a whole time paid officer of the University appointed by the Syndicate on such terms as may be prescribed by the Statutes.

(2) He shall advise the University on matters concerning the discipline and welfare of students of the campus, constituent, affiliated and recognised Colleges.

15. (c) *The Controller of Examinations* : (1) The Controller of Examinations shall be a wholetime paid officer of the University appointed by the Syndicate on such terms as may be prescribed by the Statutes.

(2) He shall assist the Vice-Chancellor in the conduct of all University Examinations and shall exercise such powers and perform such duties as may be prescribed.

CHAPTER IV

16. Authorities of the University

Authorities :—The following shall be the authorities of the University, namely ;

- (i) The Senate,
- (ii) The Syndicate,
- (iii) The Academic Council,
- (iv) The Faculties,
- (v) The Boards of Studies,
- v (a) *The Council of Affiliated Colleges,*
- v (b) *The Students' Council* and
- (vi) Such other bodies, as the Statutes may declare to be Authorities of the University.

17. The Senate

(1)* The Senate shall be the supreme governing body of the University and shall have power to review the action of the Syndicate and of the Academic Council.

(2) The Senate shall consist of the following persons namely ;

Class I—Ex-officio Members

(1) The Chancellor.

(2) deleted.

(3) The Vice-Chancellor.

(4) The Secretary to Government in the Education Department.

(5) The Director *in charge* of *School Education*.

(5) (a) The Director *in charge* of *Higher Education*.

(6) The Director, National Cadet Corps, Andhra Pradesh.

(7) The Director *in charge* of *Medical Education*.

(7-a) The Director of *Technical Education*.

(7-b) *The Dean of Student Affairs*.

(7-c) *The Secretary of the State University Grants Committee*.

(8) All Principals of the University Colleges, constituent Colleges and Professional Colleges, eight Principals of Affiliated Colleges other than Professional Colleges and *four Principals of Oriental Colleges* appointed by rotation by the Chancellor.

(9) Twelve Professors of the University Colleges, Twelve teachers of the University, Affiliated and Oriental Colleges (*i. e.* six Teachers from University/Constituent Colleges, four from the Affiliated Colleges, two from Oriental Colleges) and three representatives of managements of Aided Colleges, appointed by nomination by the Chancellor.

(10) No change.

*Sri L. Bullayya, Vice-Chancellor, Andhra University, Sri N. Narotham Reddy, Vice-Chancellor, Osmania University and Sri M. R. Pai, Vice-Chancellor, A. P. Agricultural University do not agree with this Amendment. Please see their notes of reservation at Appendix V.

The Chairman is, however, of the view that residual authority should vest in one of the bodies and it is not desirable that all the bodies function as completely parallel authorities. From this point of view, there is a case to vest in the Senate the power of review but this shall be conditioned by the stipulation that it cannot review those matters which lawfully fall within the jurisdiction of the other authorities. Disputes in this regard between one authority and another shall in the first instance be decided by the Vice-Chancellor with reference to the provisions of the Act and, on appeal by any of the authorities concerned, by the Chancellor.

Class II—Life Members

(1) and (2) deleted.

(3) The persons who are life members at the commencement of the Osmania University (Amendment) Act, 1966, shall continue to be such members and after such commencement there shall be no new life member.

Class III—Other Members

(1) Fifteen persons elected by *secret ballot* by the registered graduates from among themselves according to the principle of proportional representation by means of the single transferable vote ;

Proviso—deleted.

(2) no change.

(2) (a) *Twenty student representatives to be elected as prescribed by the Statutes.*

(3) deleted.

(3) (a) Twelve persons nominated by the State Government of whom two shall be from among the Scheduled Castes, one from among the Scheduled Tribes, one woman, two from the members of learned professions such as Law, Medicine, Engineering among others, three from Industry, Commerce, and Banking, and three from among the Principals of Junior Colleges in the University area, all of whom shall be ordinarily resident in the University area.

18. (1) *a to l* no change.

(m-1) To prescribe the fees to be charged for the affiliation and recognition of colleges *and the registration of graduates of the University.*

(m-2) to *r* and (2) — no change.

19. (1) There shall be at least *three* ordinary meetings of the Senate in a year, one of which shall be called the Annual Meeting.

(2) Upon a requisition in writing signed by not less than *forty* members of the Senate, the Vice-Chancellor shall convene a meeting of the Senate.

(3) *Forty* members shall form the quorum for a meeting of the Senate.

(4) In the absence of the Chancellor, and the Vice-Chancellor from any meeting of the Senate, the members present at the meeting shall choose one of the members to preside thereat.

20. The Syndicate

The Syndicate :—The Syndicate shall, in addition to the Vice-Chancellor consist of the following persons namely :—

Class I—Ex-officio Members

- (1) The Secretary to Government in the Finance Department or any other officer of the Finance Department not below the rank of Joint Secretary to Government.
- (2) Director-in-charge of Higher Education.

*Class II—Other Members**

- (1) Six persons elected by the Senate from among its members by proportional representation through single transferable vote.
 proviso deleted.
- (2) Four persons elected by the Academic Council from among its members by proportional representation through single transferable vote.
- (3) deleted.

@ (3) (a) Three persons to be nominated by the Government as follows :

- | | |
|------------------|---|
| (i) One M. P. | } All of whom shall be normally resident in the territorial jurisdiction of the University. |
| (ii) One M.L.A. | |
| (iii) One M.L.C. | |

Provided that atleast one of the three shall belong to the Scheduled Caste or the Scheduled Tribe.

(3) (b) One University Professor to be nominated by the Chancellor.

Powers and duties of the Syndicate :—

21. (1) to (4)—no change.
- (5) (i) no change.

(ii) to appoint the teachers of the University of and above the rank of lecturers on the recommendation of the Selection Committee constituted under Section 39 ;

Provided that it shall have the discretion to resort to direct negotiations for the appointment of teachers above the rank of Lecturers only when it is found that suitable candidates are not available through the method of selection under section 39.

* Please see the note of dissent from Sri M. Venkaiah Naidu, Student Representatives, Andhra University Waltair at Appendix VI.

@ It was urged by some members that the members from Parliament and Legislature to the Syndicate should be elected and not nominated. The Chairman, however, is of the view that it will be a far simpler procedure to provide for the nomination of the three Legislators by the Government as recommended by the Committee.

(6) No change.

(7) to appoint, dismiss, remove or suspend the ****employees** of the University,

(8) to (16) no change.

Add :

(16) (a) To confer as well as withdraw autonomous status on selected colleges of the University either *suo motu*, or on representation, on the recommendation of the Academic Council.

(17) to (25) no change.

22. to 24. no change.

The Academic Council

25. The Academic Council:— (1) The Academic Council shall, in addition to the Vice-Chancellor, consist of the following persons namely :—

Class I—Ex-officio Members

(a) The Director *in charge of School Education.*

(a—1) The Director *in charge of Higher Education.*

(a—2) *The Director, Telugu Akademi, Hyderabad.*

*(a—3) *The Secretary, Board of Junior College Education Andhra Pradesh.*

(a—4) *The Dean of Student Affairs.*

(a—5) *The Secretary of the State University Grants Committee.*

(b) no change.

(c) (1) The Principals of the University and Constituent Colleges.

(2) 50 per cent of the Principals of Affiliated Colleges by rotation to be nominated by the Chancellor.

(3) 50 per cent of the Principals of Oriental Colleges by rotation to be nominated by the Chancellor.

(d) no change.

(e) no change.

(f) no change.

(g) no change.

*Law may kindly consult Chairman of the Committee in this regard.

** Law may examine the implications if any, of the change of the term 'Servants' to " Employees " and advise.

Class II—Other Members

(1) Two persons nominated by the *State Government* who shall be *Principals of Junior Colleges* in service in the *University area* at the time of nomination,

(2) no change.

** (2) (a) Twenty students elected in the manner prescribed by statutes.

(26) (1) No change.

(2) (a) to (k) no change.

Add :

(k) (1) to recommend to the *Syndicate* regarding the conferment as well as withdrawal of autonomous status on selected colleges in the *University area* on reference from the *Syndicate*.

(1) to (o) no change.

26. (A) Council of Affiliated Colleges

(1) The *Council of Affiliated Colleges* shall consist of the following *Ex-officio* members:—

(a) The *Vice-Chancellor* who shall be the *Chairman*.

(b) The *Director in charge of Higher Education*.

(c) *Heads of Departments of the University*.

(d) *Principals of Affiliated Colleges* and

(e) *Dean of Student Affairs*.

(2) *Powers* : The *Council* may meet atleast twice a year and make recommendations to the concerned authorities of the *University* regarding the *Academic and Administrative problems* of the *Affiliated Colleges* and maintenance of standards.

(B) Students' Council

1. The *Students' Council* shall consist of the following *Members*.

**In regard to student representation on the *Authorities of the Universities* please see the views of *Sri M. R. Pai*, *Vice-Chancellor, Andhra Pradesh Agricultural University* in the last two paragraphs of his note enclosed to his letter to the *Chairman of the Committee* at Appendix V-c. The *Chairman* also shares the views of *Sri M. R. Pai*, *Vice-Chancellor, Andhra Pradesh Agricultural University* in this matter with the reservation, however, that student representation on the *Academic Council* would be a desirable step and therefore need not be objected to. So far as the *Syndicate* is concerned it is neither desirable nor necessary that a student representative should sit on it.

Class I—Ex-officio

- (a) The Vice-Chancellor who shall be the Chairman.
- (b) The Director in charge of Higher Education.
- (c) Five University Professors.
- (d) Dean of Student Affairs.
- (e) Principals of twenty affiliated Colleges by rotation to be nominated by the Chancellor.
- (f) Principals of five Oriental Colleges by rotation to be nominated by the Chancellor.
- (g) One student member each of the Senate and Academic Council to be nominated by the Vice-Chancellor.

Class II—Members

One student representative for each affiliated and Oriental College. In the event of the college having a students union, the student elected President/Chairman of the college union shall represent the college on the Student Council. If there is no union for the college, or if for some reason it has been decided not to hold elections, the student representative shall be elected by the students of the College through secret ballot to represent the college on the Students' Council.

2. The Council shall discuss all matters concerning the welfare and discipline of students and make recommendations to the concerned authorities of the University or to the Government as the case may be.

27. The Faculties

- (1) The University shall include the Faculties of—
 - (a) Arts ;
 - (a) (1) Social Sciences.
 - (b) to (i) no change.
- (2) to (4) no change.
- 28. no change.

CHAPTER V.

General

- 29. (a) to (c) no change.
- (d) shall be deleted.
- 30. to 32. no change.
- 33. (1) Term of office of the members of the Senate, etc. :—
- (1) Save as otherwise provided, the Senate, the Syndicate, the Academic Council, the Finance Committee, *the Students' Council and the Council of*

Affiliated Colleges shall be reconstituted at or about the same time every five years, and the members of these authorities shall, except in the case of Ex-officio Members, Life Members and Co-opted members hold office as members thereof upto the date of next reconstitution or for six months from the date of expiry of the term whichever is earlier.

(2) and (3) no change.

Add :

(3) (a) If a member of an Authority, other than ex-officio, who is elected, nominated, appointed or co-opted remains absent at three consecutive ordinary meetings of the Authority, without valid reasons he shall cease to be the member of the body to which he was elected nominated, appointed or co-opted, as the case may be.

Provided however, for valid reasons, to be furnished by the member, the Chancellor may, on the recommendation of the Vice-Chancellor, restore the membership.

(4) and (5) no change.

*33. (A) to 34. no change.

35. All graduates of the University and holders of such of the Oriental titles and Diplomas awarded by the University shall be entitled to have their names enrolled in the register of Registered Graduates and to enjoy all privileges of registration.

Proviso substituted as follows :

**Provided that the registration is renewed by the graduates every five years after the date of initial registration or the commencement of this Act whichever is later.

CHAPTER VI

36. No change.

37. Admission to University Courses :

(1) No student shall be eligible for admission to a course of study qualifying for admission leading to a University Examination after Intermediate, unless he has passed the examination prescribed as qualifying for admission to such course or an examination recognised by the Academic Council as equivalent thereto and possesses such other qualification, if any, as may be prescribed.

(2) no change.

37. (A) no change.

CHAPTER VII

Appointment of Teachers, etc.

38. no change.

* To be retained, modified or deleted after examination by Law Department.

** Law may examine this clause with regard to its legal soundness *vis-a-vis* the existing provision and advise.

39. Constitution of Selection Committee :—

There shall be constituted a Selection Committee in regard to the appointment of teachers of and above the rank of Lecturers which shall consist of the following persons, namely :—

- (1) The Vice-Chancellor who shall be the Ex-officio-Chairman of the Committee ;
- (2) The Director *in charge* of Higher Education.
- (3) The Dean of the Faculty concerned.
- (4) deleted.
- (5) The Head of the Department concerned.

Provisos—no change.

40. no change.

CHAPTER VIII

University Funds, etc.

41. (i) no change.

- (ii) contributions or grants which may be made by the State Government, *the Central Government, the University Grants Commission or the State University Grants Committee* on such conditions as they may *determine* towards the development of laboratories, libraries, museums and workshops and the salaries of such teachers of the University as are appointed for research and for the advancement and dissemination of knowledge in particular branches of learning.

(iii) no change.

42. no change.

43. (a) and (b) no change.

(c) *three* members chosen by the Syndicate from its members.

(2) no change.

43. (A) no change.

CHAPTER IX

no change.

CHAPTER X

no change.

AMENDMENTS TO THE ANDHRA UNIVERSITY ACT 1925

CHAPTER I

Preliminary

1. No change.

Add :

2. (b-2) *Autonomous College* is a College on which the status of autonomy has been conferred by the University.

(b-3) Academic Year means a period of twelve months from the 1st of July or any other period specially notified by the Syndicate in respect of all the colleges under the control of the University or any thereof in particular.

(d) deleted.

Add :

(d-1) Post-Graduate College means a University College or an Affiliated College in which provision is made for Post-Graduate Courses of study leading upto the higher degrees of the University in accordance with the regulations prescribed.

(e) to (g) No change.

(h) 'District' means a district within the area comprising the present districts of Srikakulam, Visakhapatnam, West Godavari, East Godavari, Krishna, Guntur and *Prakasam* to which this Act applies.

(i) to (k) No change.

(k-1) 'Recognised College' or 'Recognised Institution' means respectively a college or institution of higher education and research recognised by the University under conditions prescribed ;

(l) No change.

(l-1) 'Secretary to the State Government' includes an Additional Secretary to Government or a Joint Secretary to Government.

Add :

- (l-2) 'Student' is a person who has been admitted to a College and whose name is borne on the attendance register until the end of the academic year.
- (m) to (p-1) No change.
- (q) 'University Professor' means a person appointed as Professor by the University.

CHAPTER II

The University

@3. (1) (a) There shall be constituted in and for the area comprising the present districts of Srikakulam, Visakhapatnam, West Godavari, East Godavari, Krishna, Guntur and the taluk of Ongole and Chirala sub-taluk (of Bapatla taluk) included now in Prakasam District a University by the name of the Andhra University which shall consist of a Chancellor, a Vice-Chancellor, a Senate, a Syndicate, an Academic Council, a Council of Affiliated Colleges and a Students Council ; it shall be a body corporate having perpetual succession and a common seal and shall sue and be sued by the said corporate name.

(b) No change.

(2) No change.

4. Powers, Functions and objects of the University.

(1) and (2) No change.

(3) to promote the development of the study of Telugu *Urdu and Oriya and their use as media of instruction and examination ;

(4) to (6) No change.

Add :

(6-a) To create Administrative, Ministerial and other posts required by the University.

(7) and (8) No change.

@Law may amend this clause in the light of the position as defined by the latest enactment of the Legislature under six-point formula.

* It is no doubt true the Osmania University takes care of the interests of Urdu and Utkal of Oriya. Utkal, however, is a University outside the State. In any case, the Chairman is of the view that it may not be desirable to change the existing provisions for Urdu and Oriya as these are among the minority languages of the State and if sufficient numbers are forthcoming there will be an obligation cast on us to provide the requisite facilities for instruction.

- (8-a) to establish, maintain and manage, or to Affiliate *Post Graduate, Autonomous Colleges* in any part of the University area outside the University campus ;
- (8-b) to transfer any or all the colleges or institutions maintained by the University to the administrative control of the Government on such conditions as may be mutually agreed upon.
- (8-c) to make special provision for the spread of Higher Education among Scheduled Castes, Scheduled Tribes and other classes of citizens educationally backward.
- (9) and (10) No change.
- (11) to make grants from the funds of the University for the maintenance of a National Cadet Corps* ;
- (12) No change.
- (13) and (14) No change.

Add :

- (15) to make special provision for the spread of Higher Education among Scheduled Castes, Scheduled Tribes and other classes of citizens educationally backward.
- (16) to co-operate, with other Universities, *in particular, those within the State*, educational institutions and authorities in such manner and for such purposes as the University may determine.

5. No change.

6. (1) The colleges in the University area that are affiliated to the Madras University *immediately before the commencement of this Act* shall be and shall have the privilege of affiliated colleges under the Act.

(2) The University shall have power to admit a college to affiliation as a Post Graduate College or a Degree College, (Oriental College or a Professional College) in accordance with the Statutes.

Add the following as a separate proviso.

Provided further that the University may transfer any college to any University newly established in the State.

7. No change.

8. (1) No change.

*The Andhra University recommended that this provision may be deleted. The Committee, however, thought that its retention was desirable as it would not impose any obligation on the University in this regard and if, in future, any necessity arises the University will have the opportunity to act as it deems best.

(2) The State Government shall communicate to the Senate to the Syndicate and *if in its opinion considered necessary, to the Academic Council also,* @ its views with reference to the results of such inspection or inquiry and may, after ascertaining the opinions of the Senate, the Syndicate and the Academic Council thereon, advise the University upon the action to be taken and fix a time limit for such action to be taken by university.

(3) No change.

(4) The State Government may, where action has not been taken by the University within a reasonable time to their satisfaction, after considering any explanation furnished or representation made by the Senate, the Syndicate *or the Academic Council* issue such directions as they may think fit, and the University shall comply with such directions.

CHAPTER III

Officers of the University *

9. The following shall be the officers of the University.

- (i) The Chancellor.
- (ii) deleted.**
- (iii) The Vice-Chancellor.
- (iii-a) The Principals of the University Colleges.
- (iv) The Registrar.
- (iv-a) The Comptroller and Financial Adviser.
- (iv-b) The Controller of Examinations.
- (iv-c) The Dean of Student Affairs and
- (v) Such other persons as the statutes may declare to be officers of the University.

@In matters which have academic implications, it would be both necessary and proper that the views of the Academic Council are also obtained before advice to the University on further action to be taken is indicated. As there is no provision at present to give such an opportunity to the Academic Council, the Chairman is of the view that such provision should be made in the Act.

* The Vice-Chancellors of Osmania and Andhra Universities suggested the appointment of a Pro-Vice-Chancellor also. The committee, however, did not agree to this.

**The deleted provision relates to the office of the Pro-Chancellor. Please see Chairman's note of reservation at Appendix III.

10. No change.

11. (1) and (2) deleted.

@12. (1) (a) The Vice-Chancellor shall be appointed by the Chancellor.

(1) (a-1) On attainment of the age of 65 years the Vice-Chancellor shall cease to hold office.

(1) (a-2) No person who has completed the age of 60 years shall be considered for appointment as Vice-Chancellor.

Provided, however, that in cases considered exceptional by the Chancellor for reasons to be recorded in writing, the Chancellor may appoint a person who can serve atleast four full years before attaining the age of 65 years.

(b) Subject to the provisions of clause (c) the Vice-Chancellor shall hold office for a term of *five** years from the date of his appointment, (rest may be deleted)

Proviso—No change.

** (c) No change.

(d) deleted.

(d-1) The Vice-Chancellor shall be the academic head and the principal executive officer of the University and shall exercise general control over its affairs. He shall be a *wholtime* officer of the University and shall be paid a salary of *three thousand rupees* per mensem. He shall also be paid a conveyance allowance of one hundred and fifty rupees per mensem if he is not provided by the University with a motor car for *official* use.

Add :

(d-2) He shall be provided with a reasonably furnished residence for which either the standard rent or ten per

@ (1) Sri Vavilala Gopalakrishnayya disagreed with this and preferred the election of the Vice-Chancellor by the Senate.

(2) Please see note from Sri M. Venkaiah Naidu, Student representative, Andhra University, Waltair at Appendix IV.

* The Chairman holds the view that the present term of three years is itself a change over the term of five years which existed before the 1966 amendments. He, therefore, suggests that the three year term may be retained but the maximum permissible renewal may be raised to three terms of three years each instead of two terms as at present.

** Some members of the Committee felt that the selected Judge should preferably be from outside the State. If, however, this provision cannot be incorporated in the Act for some reason and an unwritten convention of this nature should be established. Law may kindly examine.

cent of his salary whichever is less shall be recovered as rent exclusive of water and electricity charges, if he occupies the house provided by the University.

(d-3) The Vice-Chancellor shall on retirement be eligible to receive a lumpsum payment at the rate of one month's salary for each month of leave surrendered. No pension shall be admissible.

(e) He shall, by virtue of his office, be a member and Chairman of the Syndicate, the Academic Council, *the Council of Affiliated Colleges and the Students' Council* and shall preside at the meetings, of the senate and at convocations of the University in the absence or inability of the Chancellor to act.

(f) No change.

(g) He shall have power to convene meetings of the Senate, the Syndicate, the Academic Council, *the Council of Affiliated Colleges and the Students' Council*.

(h) No change.

Add :

(h-1) He shall have power to interpret the provisions of this Act, the Statutes, the Ordinances and the Regulations. Any person or authority aggrieved may, within a period of 30 days appeal to the Chancellor whose decision shall be final.

(i) No change.

(2) (a) and (b) No change.

(3) Where the Vice-Chancellor is unable to exercise his powers, perform his functions and discharge his duties owing to absence, illness or any other cause, the Syndicate may, subject to the approval of the Chancellor make necessary arrangements for the exercise of the powers the performance of the functions and the discharge of the duties of the Vice-Chancellor, by appointing a Vice-Chancellor-in-charge or otherwise.

(4) No change.

(5) When the post of the Vice-Chancellor falls permanently vacant either by resignation or otherwise, the vacancy shall be filled by the Chancellor by appointing another person as the Vice-Chancellor and the Vice-Chancellor so appointed shall hold office for a full term of *five* years.

* 12. (A) The words '(Second Amendment)' may be read as '(Third Amendment)'.

* The retention, modification or deletion of this clause may be examined by Law.

13. (1) The Registrar shall be a whole-time paid officer of the University appointed by the Syndicate on such terms as may be prescribed by the Statutes ;

(2) The Registrar shall act as the Secretary of the Syndicate, the Senate, the Academic Council, *the Council of affiliated Colleges and the Students' Council* and exercise such powers and perform such duties as may be prescribed.

Add :

13. (a) (1) **The Comptroller and Financial Adviser :** The Comptroller and Financial Adviser shall be a whole-time paid officer of the University appointed by the Syndicate on such terms as may be prescribed by the Statutes.

(2) He shall maintain the accounts of the University and also advise the University on all matters of income and expenditure.

(3) He shall be present at the meetings of the Finance Committee and participate in the discussions but shall not vote.

(b) (1) **The Dean of Student Affairs:** The Dean of Student Affairs shall be a whole-time paid officer of the University appointed by the Syndicate on such terms as may be prescribed by the statutes.

(2) He shall advise the University on matters concerning the discipline and welfare of students of the Campus, constituent, affiliated and recognised Colleges.

(c) **The Controller of Examinations :** (1) The Controller of Examinations shall be a whole-time paid officer of the University appointed by the Syndicate on such terms as may be prescribed by the statutes.

(2) He shall assist the Vice-Chancellor in the conduct of all University Examinations and shall exercise such powers and perform such duties as may be prescribed.

CHAPTER IV

Authorities of the University

14. The following shall be the authorities of the University.

(i) The Senate.

- (ii) The Syndicate;
- (iii) The Academic Council;
- (iv) The Faculties;
- (v) The Boards of Studies;
- v (a) *The Council of Affiliated Colleges;*
- v (b) *The Students' Council ; and*
- (vi) Such other bodies, as the Statutes may declare to be Authorities of the University.

The Senate

15. The Senate shall consist of the following persons, namely ;

Class I—Ex-officio Members

- (1) The Chancellor;
- (2) deleted;
- (3) The Vice-Chancellor;
- (3a) The Secretary to the State Government in the Education Department;
- (4) The Director *in charge of School Education ;*
- (4a) The Director *in charge of Higher Education;*
- (5) The Director, National Cadet Corps, Andhra Pradesh;
- (6) The Director in charge of Medical Education;
- (7) The Director of Technical Education;
- (7-a) *The Dean Student Affairs ;*
- (7-b) *The Secretary of the State University Grants Committee ;*

(8) All Principals of the University Colleges and Professional Colleges, Fifteen Principals of Affiliated Colleges other than professional Colleges and Five Principals of Oriental Colleges appointed by rotation by the Chancellor;

(9) Twelve Professors of the University Colleges, Twelve teachers of the University, Affiliated and Oriental Colleges (*i.e.*, six Teachers from the University Colleges, four from the Affiliated Colleges, two from Oriental Colleges) and three representatives of managements of Aided Colleges, appointed by nomination by the Chancellor.

(10) The members of the Syndicate who are not otherwise members of the Senate.

Class II — Life Members

(1) and (2) deleted.

(3) The persons who are life members at the commencement of the Andhra University (Amendment) Act 1966 shall continue to be such members and after such commencement there shall be no new life member.

Class III — Other Members

(1) Fifteen persons elected by *secret ballot* by the registered graduates from among themselves according to the principle of proportional representation by means of the single transferable vote.

Proviso — deleted.

(2) No change.

(2-a) **Twenty student representatives to be elected as prescribed by the statutes.**

(3) deleted.

(3-a) Twelve persons nominated by the State Government of whom two shall be from among the Scheduled Castes, one from among the Scheduled Tribes, one woman, two from the members of learned professions such as Law, Medicine, Engineering among others, three from Industry, Commerce and Banking, and three from among the Principals of Junior Colleges, in the University area, all of whom shall be ordinarily resident in the University area.

*16. (1) The Senate shall be the supreme governing body of the University and shall have power to review the action of the Syndicate and of the Academic Council.

(Saving clause is deleted.)

(2) (a) to (l) No change.

(m) (i) to prescribe the fees to be charged for the affiliation and recognition of the colleges *and the registration of graduates of the University.*

(m) (ii) No change.

(n) to (p) No change.

(3) No change.

17. (1) There shall be atleast *three* ordinary meetings of the Senate in a year, one of which shall be called the annual meeting.

(2) Upon a requisition in writing signed by not less than *forty* members of the Senate, the Vice-Chancellor shall convene a meeting of the Senate.

(3) *Forty* members shall form the quorum for a meeting of the Senate.

(4) In the absence of the Chancellor, and *the Vice-Chancellor*, from any meeting of the Senate, the members present at the meeting shall choose one of the members to preside thereat.

The Syndicate

18. The Syndicate shall, in addition to the Vice-Chancellor consist of the following persons, namely :

Class I—Ex-Officio Members

(1) The Director *in charge* of Higher Education.

(2) The Secretary to the State Government in the Finance Department *or any other officer of the Finance Department not below the rank of Joint Secretary to Government.*

* Sri L. Bullayya, Vice-Chancellor, Andhra University, Sri N. Narotham Reddy, Vice-Chancellor, Osmania University and Sri M. R. Pai, Vice-Chancellor, A. P. Agricultural University, do not agree with this amendment. Please see their notes of reservation at Appendix V-a, V-b, and V-c. The Chairman is, however, of the view that residual authority should vest in one of the bodies and it is not desirable that all the bodies function as completely parallel authorities. From this point of view, there is a case to vest in the Senate the power of review but this shall be conditioned by the stipulation that it cannot review those matters which lawfully fall within the jurisdiction of the other authorities. Disputes in this regard between one authority and another shall in the first instance be decided by the Vice-Chancellor with reference to the provisions of the Act and, on appeal by any of the authorities concerned, by the Chancellor.

***Class II—Other Members**

(1) Six persons elected by the Senate from among its members by proportional representation through single transferable vote.

Proviso deleted.

(2) Four persons elected by the Academic Council from among its members by proportional representation through single transferable vote.

(3) deleted

Add :

***(3-a)* Three persons to be nominated by the Government as follows :

- | | |
|------------------|---|
| (i) One M.P. | } All of whom shall be normally resident in the territorial jurisdiction of the University. |
| (ii) One M.L.A. | |
| (iii) One M.L.C. | |

Provided that atleast one of the three shall belong to the Scheduled Caste or the Scheduled Tribe.

(b) One University Professor to be nominated by the Chancellor.

19. (a) and (b) No change.

(c) (i) No change.

(ii) deleted.

Add :

(ii-a) to appoint the teachers of the University of and above the rank of Lecturers on the recommendation of the Selection Committee constituted under Section 34-A;

Provided that it shall have the discretion to resort to direct negotiations for the appointment of teachers above the rank of Lecturers only when it is found that suitable candidates are not available through the method of selection under Section 34-A;

(iii) No change.

(d) No change.

* Please see note of dissent from Sri M. Venkaiah Naidu, Student representative, Andhra University, Waltair at Appendix VI.

**It was urged by some members that the Members from Parliament and Legislature to the Syndicate should be elected and not nominated. The Chairman, however, is of the view that it will be a far simpler procedure to provide for the nomination of the three Legislators by the Government as recommended by the Committee.

- (e) shall appoint the *employees of the University, fix their emoluments and define their duties and the conditions of their service ;
- (f) shall have power to suspend or dismiss employees of the University,
- (g) to (s) No change.
- (t) shall have power to affiliate Colleges to the University as *Post-Graduate*, Degree, Oriental or Professional Colleges under conditions prescribed by the Statutes after consultation with the Academic Council and to recommend to the Senate after consultation with the Academic Council, the suspension or withdrawal of such affiliation.

Add :

- (t-a) To confer as well as withdraw autonomous status on selected colleges of the University either suo motu or on representation on the recommendation of the Academic Council ;
- (u) No change.
- 19. (A) (1), (a) and (b) No change.
- (c) Three members chosen by the Syndicate from among its members.
- (2) (a) to (e) No change.
- 19. (B) to 21. (A) No change.

The Academic Council

22. (i) The members of the Academic Council, in addition to the Vice-Chancellor, and shall be

Class I—Ex-Officio Members

- (1) *The Director in charge of School Education.*
- (1-a) *The Director in charge of Higher Education.*
- (1-b) *The Director, Telugu Akademi, Hyderabad.*
- (1-c) *The Secretary, Board of Junior College Education,** Andhra Pradesh.*
- (1-d) *The Dean of Student Affairs.*

* Law may examine the implications if any, of the change of the terms 'servants' to 'employees' and advise.

** Law may kindly consult Chairman of the Committee in this regard.

- (1-e) *The Secretary of the State University Grants Committee.*
- (2) No change.
- (3) No change.
- (4) deleted.
- (4-a) The Principals of the University and Constituent Colleges.
- (4-b) 50 per cent of the Principals of Affiliated Colleges by rotation to be nominated by the Chancellor.
- (4-c) 50 per cent of the Principals of Oriental Colleges by rotation to be nominated by the Chancellor.
- (5) No change.
- (6) No change.

Class II—Other Members

(1) and (2) No change.

(3) Two persons nominated by the State Government who shall be *Principals of Junior Colleges* in service in the University area at the time of nomination.

(ii) No change.

Add :

* (iii) Twenty students elected in the manner prescribed by statutes.

23. (1) and (2) (a) to (e) No change.

Add :

(e-1) to recommend to the Syndicate regarding the conferment as well as withdrawal of autonomous status on selected colleges in the University area on a reference from the Syndicate.

(g) to (l) No change.

Add :

23. (A) **Council of Affiliated Colleges :**

(1) The Council of Affiliated Colleges shall consist of the following Ex-officio members.

* In regard to student representation on the Authorities of the Universities please see the views of Sri M. R. Pai, Vice-Chancellor, Andhra Pradesh Agricultural University in the last two paragraphs of his note enclosed to his letter to the Chairman of the Committee at Appendix V-c. The Chairman also shares the views of Sri M. R. Pai, Vice-Chancellor, Andhra Pradesh Agricultural University in this matter with the reservation, however, that student representation on the Academic Council would be a desirable step and therefore need not be objected to. So far as the Syndicate is concerned it is neither desirable nor necessary that a student representative should sit on it.

- (a) The Vice-Chancellor who shall be the Chairman.
- (b) The Director in charge of Higher Education.
- (c) Heads of Departments of the University.
- (d) Principals of Affiliated Colleges and
- (e) Dean of Student Affairs.

(2) Powers :- The Council may meet atleast twice a year and make recommendations to the concerned authorities of the University regarding the Academic and Administrative problems of the Affiliated Colleges and maintenance of standards.

(B) Students Council.

- (1) The Students Council shall consist of the following Members.

Class I Ex-officio

- (a) The Vice-Chancellor who shall be the Chairman.
- (b) The Director in charge of Higher Education.
- (c) Five University Professors.
- (d) Dean of Student Affairs.
- (e) Principals of fifteen Affiliated Colleges by rotation to be nominated by the Chancellor.
- (f) Principals of five Oriental Colleges by rotation to be nominated by the Chancellor.
- (g) One student member each of the Senate and Academic Council to be nominated by the Vice-Chancellor.

Class II Members

One student representative for each affiliated and Oriental College. In the event of the College having a Students Union, the student elected President/Chairman of the College Union shall represent the College on the Students Council. If there is no Union for the College, or if for some reason it has been decided not to hold elections, the Student representative shall be elected by the students of the College through secret ballot to represent the college on the Students' Council.

(2) The Council shall discuss all matters concerning the welfare and discipline of students and make recommendations to the concerned authorities of the University or to the Government as the case may be.

24. The Faculties : The University shall include Faculties of Arts, *Social Sciences*, Science, Medicine, Commerce, Teaching Oriental Learning, *Technology*, Law, *Engineering*, and *Education* and such other faculties as may be prescribed by the Statutes. Each Faculty shall comprise such departments of teaching as may be prescribed by the Statutes.

(2) (a) and (b) No change.

25. No change.

CHAPTER V

General

26. (a) to (c) No change.

27. to 29. No change.

30. (1) Save as otherwise provided, the Senate, the Syndicate, the Academic Council, the Finance Committee, *the Council of Affiliated Colleges and the Students Council* shall be reconstituted at or about the same time every five years, and the members of these authorities shall, except in the case of ex-officio members, Life Members and co-opted members hold office as members thereof upto the date of next reconstitution or for six months from the date of expiry of the term whichever is earlier.

(2) and (3) No change.

Add :

(3-a) If a member of an Authority, other than ex-officio, who is elected, nominated, appointed or co-opted, remains absent at three consecutive ordinary meetings of the Authority, without valid reasons, he shall cease to be the member of the body to which he was elected, nominated, appointed or co-opted, as the case may be.

Provided, however, for valid reasons to be furnished by the member, the Chancellor may, on the recommendation of the Vice-Chancellor, restore the membership.

(4) and (5) No change.

*30. (A) to 31. No change.

* To be retained, modified or deleted after examination by Law Department.

31. (A) All graduates of the University and holders of such of the Oriental titles and Diplomas awarded by the University shall be entitled to have their names enrolled in the register of Registered Graduates and to enjoy all privileges of registration.

Proviso deleted.

Add :

*Provided that the registration is renewed by the graduates every five years after the date of initial registration or the commencement of this Act whichever is later.

CHAPTER VI

Teaching and admission of Students

32. (1) No attendance at any instruction other than that conducted or recognized by the University shall qualify for admission to an examination of the University other than the entrance examination to the University *except as other-wise provided by the statutes.*

(2) and (3) No change.

33. Admission to University Courses : (1) No student shall be eligible for admission to a course of study qualifying for admission leading to a University Examination after Intermediate unless he has passed the examination prescribed as qualifying for admission to such course or an examination recognised by the Academic Council as equivalent thereto and possesses such other qualification, if any, as may be prescribed.

(2) No change.

33. (A) No change.

CHAPTER VII

Miscellaneous

34. No change.

34. (A) Constitution of a Selection Committee : There shall be constituted a Selection Committee in regard to the appointment of teachers of and above the rank of Lecturers, which shall consist of the following persons, namely :

(1) The Vice-Chancellor who shall be the ex-officio Chairman of the Committee :

(2) The Director in charge of Higher Education.

* Law may examine this Clause with regard to its legal soundness *vis-a-vis* the existing provision and advise.

- (3) The Dean of the Faculty concerned.
 - (4) The Chairman of the Board of Studies concerned.
 - (5) The Head of the Department concerned.
 - (6) No change.
- Provisos-No change.
35. No change.

CHAPTER VIII

University Funds etc.

- 36. No change.
- 37. (1) No change.
- (2) contributions or grants which may be made by the State Government, the Central Government, the University Grants Commission or the State University Grants Committee on such conditions as they may determine towards the development of laboratories, libraries, museums and work-shops and the salaries of such teachers of the University as are appointed for research and for the advancement and dissemination of knowledge in particular branches of learning ;
- 37. (A) No change.
- 37. (B) 37. (C) and 38. No change.

CHAPTER IX

Statutes, Ordinance and Regulations

No change.

CHAPTER X

Miscellaneous

No change.

AMENDMENTS TO SRI VENKATESWARA UNIVERSITY

ACT 1954

CHAPTER I

Preliminary

1. No change .
2. Definitions : (a) and (a-1)—No change.

Add :

- (a-1-i) 'Autonomous College' is a College on which the status of autonomy has been conferred by the University.
- (a-1-ii) 'Academic Year' means a period of twelve months from the 1st of July or any other period specially notified by the Syndicate in respect of all the colleges under the control of the University or any thereof in particular.
- (a-2) No change.
- * (b) 'District' means a district within the area comprising the districts of Anantapur, Cuddapah, Kurnool, Chittoor, Nellore and Prakasam (excluding the Taluks of Guntur, Ongole and Chirala sub-taluk of Bapatla Taluk).
- (c) and (d) No change.
- (d-1) Post-graduate College means a University College or an Affiliated College in which provision is made for Post-Graduate Courses of study leading up to the higher degrees of the University in accordance with the Regulations prescribed ;
- (e) to (i) No change.
- (j-1) 'Recognised College' or 'Recognised Institution' means respectively a college or institution of higher education and research recognised by the University under conditions prescribed ;
- (k) No change.
- (l) "Secretary to the State Government" includes an *Additional Secretary to Government* or a Joint Secretary to Government.
- (l-1) 'Student' is a person who has been admitted to a College and whose name is borne on the attendance register until the end of the academic year.
- (m) to (s) No change.

* Law may please see the footnote in regard to clause No. 3 (1).

CHAPTER II

The University

3. (1) *There shall be constituted in and for the area comprising the districts of Anantapur, Cuddapah, Kurnool, Chittoor, Nellore and Prakasam (*excluding the taluks of Guntur and Ongole and Chirala sub-Taluk of Bapatla Taluk*), a University by the name of Sri Venkateswara University.

** Proviso — No change.

(2) It shall be Residential and Teaching to start with and shall be also an Affiliating University from the commencement of the academic year 1956, and shall consist of a Chancellor, a Vice-Chancellor, a Senate, a Syndicate, an Academic Council, *a Council of affiliated Colleges and a Students' Council*. It shall be a body corporate having perpetual succession and a common seal and shall sue and be sued by the said corporate name.

(3) No change.

(4) The headquarters of the University, shall be located at Tirupati or in any other place within a radius of ten kilometres around Tirupati.

4. (1) to (6) No change.

Add :

(6-a) To create Administrative, Ministerial and other posts required by the University.

(7) No change.

(8) The words 'take over' deleted.

(8-a) to establish, maintain and manage or to affiliate Post-graduate / *Autonomous* Colleges, in any part of the University area outside the University Campus.

Add :

(8-b) to transfer any or all the colleges or institutions maintained by the University to the administrative control of the Government on such conditions as may be mutually agreed upon.

(8-c) to make special provision for the spread of Higher Education among *Scheduled Castes, Scheduled Tribes* and other classes of citizens educationally backward.

(9) to (13) No change.

Add :

(14) to co-operate with other Universities, *'in particular those within the State,* educational institutions and authorities

* Law may amend this clause in the light of the position as defined by the latest enactment of the Legislature under the six-point formula.

** Law may consider whether the retention of this proviso is necessary.

in such manner and for such purposes as the University may determine.

(15) No change.

(5) No change.

(6) (1) and (2) No change.

(3) The University shall have power to admit any other colleges in the University area to affiliation as a *Post-graduate* College or a Degree College, an Oriental College or a Professional College in accordance with the Statutes ;

Proviso no change.

Add :

Provided further that the University may transfer any college to any University newly established in the State.

4. to 7. No change.

8. (1) No change.

(2) The State Government shall communicate to the Senate to the Syndicate and, *if in its-opinion considered necessary, to the Academic Council also, *its views with reference to the results of such inspection or inquiry and may, after ascertaining the opinions of the Senate, the Syndicate and the Academic Council thereon, advise the University upon the action to be taken and fix a time-limit for such action to be taken by the University.*

(3) The State Government may, where action has not been taken by the University within *a reasonable time* to their satisfaction, after considering any explanation furnished or representation made by the *Senate, the Syndicate or the Academic Council* issue such directions as they may think fit, and the University shall comply with such directions.

CHAPTER III

Officers of the University**

9. The following shall be the Officers of the University :

(i) The Chancellor.

*In matters which have Academic implications, it would be both necessary and proper that the views of the Academic Council are also obtained before advice to the University on further action to be taken is indicated. As there is no provision at present to give such an opportunity to the Academic Council, the Chairman is of the view that such provision should be made in the Act.

**The Vice-Chancellors of Osmania, and Andhra University suggested the appointment of a Pro-Vice-Chancellor also. The Committee, however, did not agree to this.

- (ii) deleted. @
- (iii) The Vice-Chancellor.
- (iv) The Principals of the University Colleges.
- (v) The Registrar
- (v)-(a) The Comptroller and Financial Adviser.
- (v)-(b) The Controller of Examinations.
- (v)-(c) The Dean of Student Affairs and
- (vi) such other persons as the Statutes may declare to be officers of the University.

10. No Change.

11. (1) and (2) deleted.

12. (1) (a) *The Vice-Chancellor shall be appointed by the Chancellor.

Add : (a - i) On attainment of the age of 65 years the Vice-Chancellor shall cease to hold office.

(a - ii) No person who has completed the age of 60 years shall be considered for appointment as Vice-Chancellor,

Provided, however, that in cases considered exceptional by the Chancellor for reasons to be recorded in writing, the Chancellor may appoint a person who can serve at least four full years before attaining the age of 65 years.

** (b) Subject to the provisions of clause (c), the Vice-Chancellor shall hold office for a term of five years from the date of his appointment (rest may be deleted).

Proviso—No change.

@ The deleted provision relates to the Office of the Pro-Chancellor. Please see Chairman's note of reservation at Appendix III.

* (1) Sri Vavilala Gopalakrishnayya disagreed with this and preferred the election of the Vice-Chancellor by the Senate.

(2) Please see note from Sri M. Venkaiah Naidu, Student representative, Andhra University, Waltair at Appendix IV.

**The Chairman holds the view that the present term of three years is itself a change over the term of five years which existed before the 1966 amendments. He, therefore, suggests that the three year term may be retained but the maximum permissible renewal may be raised to three terms of three years each instead of two terms as at present.

AMENDMENTS TO SRI VENKATESWARA UNIVERSITY

ACT 1954

CHAPTER I

Preliminary

1. No change .
2. Definitions : (a) and (a-1)—No change.

Add :

- (a-1-i) 'Autonomous College' is a College on which the status of autonomy has been conferred by the University.
- (a-1-ii) 'Academic Year' means a period of twelve months from the 1st of July or any other period specially notified by the Syndicate in respect of all the colleges under the control of the University or any thereof in particular.
- (a-2) No change.
- * (b) 'District' means a district within the area comprising the districts of Anantapur, Cuddapah, Kurnool, Chittoor, Nellore and Prakasam (excluding the Taluks of Guntur, Ongole and Chirala sub-taluk of Bapatla Taluk).
- (c) and (d) No change.
- (d-1) Post-graduate College means a University College or an Affiliated College in which provision is made for Post-Graduate Courses of study leading up to the higher degrees of the University in accordance with the Regulations prescribed ;
- (e) to (i) No change.
- (j-1) 'Recognised College' or 'Recognised Institution' means respectively a college or institution of higher education and research recognised by the University under conditions prescribed ;
- (k) No change.
- (l) "Secretary to the State Government" includes an *Additional Secretary to Government* or a Joint Secretary to Government.
- (l-1) 'Student' is a person who has been admitted to a College and whose name is borne on the attendance register until the end of the academic year.
- (m) to (s) No change.

* Law may please see the footnote in regard to clause No. 3 (1).

CHAPTER II

The University

3. (1) *There shall be constituted in and for the area comprising the districts of Anantapur, Cuddapah, Kurnool, Chittoor, Nellore and Prakasam (*excluding the taluks of Guntur and Ongole and Chirala sub-Taluk of Bapatla Taluk*), a University by the name of Sri Venkateswara University.

** Proviso — No change.

(2) It shall be Residential and Teaching to start with and shall be also an Affiliating University from the commencement of the academic year 1956, and shall consist of a Chancellor, a Vice-Chancellor, a Senate, a Syndicate, an Academic Council, a *Council of affiliated Colleges and a Students' Council*. It shall be a body corporate having perpetual succession and a common seal and shall sue and be sued by the said corporate name.

(3) No change.

(4) The headquarters of the University, shall be located at Tirupati or in any other place within a radius of ten kilometres around Tirupati.

4. (1) to (6) No change.

Add :

(6-a) To create Administrative, Ministerial and other posts required by the University.

(7) No change.

(8) The words 'take over' deleted.

(8-a) to establish, maintain and manage or to affiliate Post-graduate / *Autonomous Colleges*, in any part of the University area outside the University Campus.

Add :

(8-b) to transfer any or all the colleges or institutions maintained by the University to the administrative control of the Government on such conditions as may be mutually agreed upon.

(8-c) to make special provision for the spread of Higher Education among *Scheduled Castes, Scheduled Tribes* and other classes of citizens educationally backward.

(9) to (13) No change.

Add :

(14) to co-operate with other Universities, *in particular those within the State*, educational institutions and authorities

* Law may amend this clause in the light of the position as defined by the latest enactment of the Legislature under the six-point formula.

** Law may consider whether the retention of this proviso is necessary.

in such manner and for such purposes as the University may determine.

(15) No change.

(5) No change.

(6) (1) and (2) No change.

(3) The University shall have power to admit any other colleges in the University area to affiliation as a *Post-graduate* College or a Degree College, an Oriental College or a Professional College in accordance with the Statutes ;

Proviso no change.

Add :

Provided further that the University may transfer any college to any University newly established in the State.

4. to 7. No change.

8. (1) No change.

(2) The State Government shall communicate to the Senate to the Syndicate and, *if in its opinion considered necessary, to the Academic Council also*, *its views with reference to the results of such inspection or inquiry and may, after ascertaining the opinions of the Senate, the Syndicate and the Academic Council thereon, advise the University upon the action to be taken and fix a time-limit for such action to be taken by the University.

(3) The State Government may, where action has not been taken by the University within a *reasonable time* to their satisfaction, after considering any explanation furnished or representation made by the *Senate, the Syndicate or the Academic Council* issue such directions as they may think fit, and the University shall comply with such directions.

CHAPTER III

Officers of the University**

9. The following shall be the Officers of the University :

(i) The Chancellor.

*In matters which have Academic implications, it would be both necessary and proper that the views of the Academic Council are also obtained before advice to the University on further action to be taken is indicated. As there is no provision at present to give such an opportunity to the Academic Council, the Chairman is of the view that such provision should be made in the Act.

**The Vice-Chancellors of Osmania, and Andhra University suggested the appointment of a Pro-Vice-Chancellor also. The Committee, however, did not agree to this.

- (ii) deleted. @
- (iii) The Vice-Chancellor.
- (iv) The Principals of the University Colleges.
- (v) The Registrar
- (v)-(a) The Comptroller and Financial Adviser.
- (v)-(b) The Controller of Examinations.
- (v)-(c) The Dean of Student Affairs and
- (vi) such other persons as the Statutes may declare to be officers of the University.

10. No Change.

11. (1) and (2) deleted.

12. (1) (a) *The Vice-Chancellor shall be appointed by the Chancellor.

Add: (a - i) On attainment of the age of 65 years the Vice-Chancellor shall cease to hold office.

(a - ii) No person who has completed the age of 60 years shall be considered for appointment as Vice-Chancellor,

Provided, however, that in cases considered exceptional by the Chancellor for reasons to be recorded in writing, the Chancellor may appoint a person who can serve atleast four full years before attaining the age of 65 years.

** (b) Subject to the provisions of clause (c), the Vice-Chancellor shall hold office for a term of *five* years from the date of his appointment (rest may be deleted).

Proviso—No change.

@ The deleted provision relates to the Office of the Pro-Chancellor. Please see Chairman's note of reservation at Appendix III.

* (1) Sri Vavilala Gopalakrishnayya disagreed with this and preferred the election of the Vice-Chancellor by the Senate.

(2) Please see note from Sri M. Venkaiah Naidu, Student representative, Andhra University, Waltair at Appendix IV.

**The Chairman holds the view that the present term of three years is itself a change over the term of five years which existed before the 1966 amendments. He, therefore, suggests that the three year term may be retained but the maximum permissible renewal may be raised to three terms of three years each instead of two terms as at present.

@ (c) No change.

(d) deleted.

(d-1) The Vice-Chancellor shall be the academic head and the principal executive officer of the University and shall exercise general control over its affairs. He shall be a whole time officer of the University and shall be paid a salary of *three thousand rupees* per mensem. He shall also be paid a conveyance allowance of one hundred and fifty rupees per mensem if he is not provided by the University with a motor car for official use.

(d-2) He shall be provided with a reasonably furnished residence for which either the standard rent or 10 per cent of his salary whichever is less shall be recovered as rent exclusive of water and electricity charges if, he occupies the house provided by the University.

(d-3) The Vice-Chancellor shall on retirement be eligible to receive a lumpsum payment at the rate of one month's salary for each month of leave surrendered. No pension shall be admissible.

(e) The Vice-Chancellor, shall, by virtue of his office, be a member and Chairman of the Syndicate, the Academic Council, *the Council of Affiliated Colleges and of the Students Council*, and shall preside at the meetings of the Senate and at Convocations of the University in the absence or inability of the Chancellor to act.

(f) No change.

Add :

(g) He shall have power to convene meetings of the Senate the Syndicate the Academic Council *the Council of Affiliated Colleges and the Students' Council*.

(h) No change.

(i) He shall have power to interpret the provisions of this Act, the Statutes, the Ordinances and the Regulations. Any person or authority aggrieved may, *within a period of 30 days appeal to the Chancellor*, whose decision shall be final.

(j) No change.

(2) (a) and (b) No change.

(3) and (4) No change.

@ Some members of the Committee felt that the selected Judge should be preferably from outside the State. If, however, this provision cannot be incorporated in the Act for some reason, an unwritten convention of this nature should be established. Law may kindly examine.

(5) When the post of the Vice-Chancellor falls permanently vacant, either by resignation or otherwise, the vacancy shall be filled by the Chancellor by appointing another person as the Vice-Chancellor, and the Vice-Chancellor so appointed shall hold office for a full term of five years.

*(12-A). No change.

13. (1) No change.

(2) The Registrar shall act as the Secretary of the Syndicate, the Senate, the Academic Council, *the Council of affiliated Colleges and the Students' Council* and exercise such powers and perform such duties as may be prescribed.

(13-A) *The Comptroller and Financial Adviser*: (1) The Comptroller and Financial Adviser shall be a whole-time paid officer of the University appointed by the Syndicate on such terms as may be prescribed by the Statutes.

(2) He shall maintain the accounts of the University and also advise the University on all matters of income and expenditure.

(3) He shall be present at the meetings of the Finance Committee and participate in the discussions but shall not vote.

(13. B) *The Dean of Student Affairs*: (1) The Dean of Student Affairs shall be a whole-time paid officer of the University appointed by the Syndicate on such terms as may be prescribed by the Statutes.

(2) He shall advise the University on matters concerning the discipline and welfare of students of the campus, constituent, affiliated and recognised Colleges.

(13-C) *The Controller of Examinations*: (1) The Controller of Examinations shall be a whole-time paid officer of the University appointed by the Syndicate on such terms as may be prescribed by the Statutes.

(2) He shall assist the Vice-Chancellor in the conduct of all University Examinations and shall exercise such powers and perform such duties as may be prescribed.

CHAPTER IV

Authorities of the University

14. The following shall be the Authorities of the University, namely :—

(i) The Senate,

* The retention, modification, or deletion of this clause may be examined by Law.

- (ii) The Syndicate,
- (iii) The Academic Council,
- (iv) The Faculties,
- (v) The Boards of Studies,
- (v-a) *The Council of Affiliated Colleges.*
- (v-b) *The Students' Council and*
- (vi) Such other bodies as the Statutes may declare to be Authorities of the University.

The Senate

*14. (1) The Senate shall be the supreme governing body of the University and shall have power to review the action of the Syndicate and of the Academic Council.

15. The Senate shall consist of the following persons, namely:—

Class I—Ex-officio Members

- (1) The Chancellor,
- (2) deleted.
- (3). The Vice-Chancellor,
- (3-a) The Secretary to the State Government in the Education Department,
- (4) The Director *in charge* of School Education.
- (4-a) The Director of Technical Education.
- (4-b) The Director *in charge* of Higher Education.
- (5) The Director *in charge* of Medical Education.
- (7-b) The Director, National Cadet Corps, Andhra Pradesh.

* Sri L. Bullayya, Vice-Chancellor, Andhra University, Sri N. Narotham Reddy Vice-Chancellor, Osmania University and Sri M. R. Pai, Vice-Chancellor, A. P. Agricultural University, do not agree with this Amendment. Please see their notes of reservation at Appendix V-a, V-b and V-c. The Chairman is, however, of the view that residual authority should vest in one of the bodies and it is not desirable that all the bodies function as completely parallel authorities. From this point of view, there is a case to vest in the Senate the power of review but this shall be conditioned by the stipulation that it cannot review those matters which lawfully fall within the jurisdiction of the other authorities. Disputes in this regard between one authority and another shall in the first instance be decided by the Vice-Chancellor with reference to the provisions of the Act and, on appeal by any of the authorities concerned, by the Chancellor.

Add : (7-c) The Dean of Student Affairs.

(7-d) The Secretary of the State University Grants Committee.

(8) All Principals of the University Colleges, Professional Colleges eighteen Principals of Affiliated Colleges other than Professional Colleges, and *three Principals of Oriental Colleges*, appointed by rotation by the Chancellor.

(9) Twelve Professors of the University Colleges, ten Teachers of the University, Affiliated and Oriental Colleges (*i.e.* five Teachers from the University Colleges, four from the Affiliated Colleges, one from Oriental Colleges) and two representatives of managements of aided colleges appointed by nomination by the Chancellor.

(10) and (11) No change.

Class II—Life Members

(1) and (2) deleted.

(3) The persons who are life members at the commencement of the Sri Venkateswara University (Amendment) Act, 1966, shall continue to be such members and after such commencement there shall be no new life member.

Class III—Other Members

(1) *Twelve* persons elected by secret ballot by the registered graduates from among themselves according to the principle of proportional representation by means of the single transferable vote ;

Proviso deleted.

(2) No change.

Add : (2-a) Twelve student representatives to be elected as prescribed by the statutes.

(3) Twelve persons nominated by the State Government of whom one shall represent the Tirumala Tirupati Devasthanams, two shall be from among the Scheduled Castes, one from among the Scheduled Tribes, one from among women, two from the members of learned professions such as Law, Medicine, Engineering among others, two from Industry, Commerce and Banking and three from among the Principals of Junior Colleges in the University area, all of whom shall be ordinarily resident in the University area.

16. (1-a) to (l) No change.

(m) to prescribe the fees to be charged for the affiliation and recognition of the colleges and the registration of the graduates of the University ;

(n) to (r) including (2-a) No change.

17. (1) There shall be atleast *three* ordinary meetings of the Senate in a year, one of which shall be called the annual meeting.

(2) Upon a requisition in writing signed by not less than twenty five members of the Senate, the Vice-Chancellor shall convene a meeting of the Senate.

(3) *Twentyfive* members shall form the quorum for a meeting of the Senate.

(4) In the absence of the Chancellor and the Vice-Chancellor from any meeting of the Senate, the members present at the meeting shall choose one of the members to preside thereat.

The Syndicate

18. The Syndicate shall, in addition to the Vice-Chancellor consist of the following persons, namely :—

Class I—Ex-officio Members.

(1) The Director *in charge* of Higher Education.

(2) The Chairman, Board of Trustees, Tirumala-Tirupati Devasthanams.

(3) The Executive Officer, Tirumala Tirupati Devasthanams.

(4) The Secretary, to Government in the Finance Department or any other officer of the Finance Department not below the rank of Joint Secretary to Government.

Class II—Other Members*

(1) *Five* persons elected by the Senate from among its members by *proportional representation through single transferable vote*.

Proviso deleted.

(2) *Three* persons elected by the Academic Council from among its members by *proportional representation through single transferable vote*.

(3) deleted.

***(3-a)* Three persons to be nominated by the Government as follows :

- | | | |
|------------------|---|---|
| (i) One M. P. | } | All of whom shall be normally resident in the territorial jurisdiction of the University. |
| (ii) One M.L.A. | | |
| (iii) One M.L.C. | | |

* Please see note of dissent from Sri M. Venkaiah Naidu, Student representative, Andhra University, Waltair at Appendix VI.

**It was urged by some members that the Members from Parliament and Legislature to the Syndicate should be elected and not nominated. The Chairman, however, is of the view that it will be a far simpler procedure to provide for the nomination of the three Legislators by the Government as recommended by the Committee.

Provided that atleast one of the three shall belong to the Scheduled Castes or the Scheduled Tribe.

(3-b) One University Professor to be nominated by the Chancellor.

(4) deleted.

19. (a) and (b) No change.

(c-i) No change.

(ii) to appoint the teachers of the University of and above the rank of lecturers on the recommendation of the Selection Committee *constituted under Section 36* ;

Provided that it shall have the discretion to resort to direct negotiations for the appointment of teachers above the rank of Lecturers only when it is found that suitable candidates are not available through the method of selection under section 36.

(iii) No change.

(cc) No change.

(d) Subject to such Ordinances as may be made in this behalf, to appoint or dismiss, remove or suspend the @ employees of the University.

(e) to (u) No change.

Add : (u-i) to confer as well as withdraw autonomous status on selected colleges of the University either *suo motu* or on representation on the recommendation of the Academic Council.

20. to 22. No change.

The Academic Council

23. (i) The Academic Council shall, in addition to the Vice-Chancellor, consist of the following persons namely :—

Class I—Ex-officio Members

(1) delete.

(1-a) The Director *in charge* of Higher Education.

(2) The Director *in charge of School Education*.

(2-i) The Director, Telugu Akademi, Hyderabad.

*(2-ii) The Secretary, Board of Junior College Education, Andhra Pradesh.

(2-iii) The Dean of Student Affairs.

* Law may kindly consult Chairman of the Committee in this regard.

@ Law may examine the implications if any, of the change of the term 'servants' to "employees" and advise.

(2-iv) The Secretary of the State University Grants Committee.

(2-a) No change.

(3) The wholetime University Professors and other Professors appointed by the University.

(4-a) The Principals of the University and Constituent Colleges.

(4-b) 50 per cent of the Principals of Affiliated Colleges by rotation to be nominated by the Chancellor.

(4-c) 50 per cent of the Principals of Oriental Colleges by rotation to be nominated by the Chancellor.

(5) and (6) No change.

Class II—Other Members

(1) Two persons nominated by the State Government who shall be Principals of Junior Colleges in service in the University area at the time of nomination.

* (2-) 20 students elected in the manner prescribed by statutes.

(2-ii) The Academic Council, as constituted under sub-section(i), may co-opt as members not more than *eight* persons from among teachers of the University and *the rest from* affiliated Colleges, as far as possible by rotation from such colleges for such period and in such manner as may be prescribed by Regulations so as to secure adequate representation of different branches of learning.

24. (1) No change.

(2) (a) to (e) No change.

Add :

(e-1) to recommend to the Syndicate regarding the conferment as well as withdrawal of autonomous status on selected colleges in the University area on reference from the Syndicate.

(f) to (k) No change.

*In regard to student representation on the Authorities of the Universities, please see the views of Sri M.R. Pai, Vice-Chancellor, Andhra Pradesh Agricultural University in the last two paragraphs of his note enclosed to his letter to the Chairman of the Committee at Appendix V-c. The Chairman also shares the views of Sri M. R. Pai, Vice-Chancellor, Andhra Pradesh Agricultural University in this matter with the reservation, however, that student representation on the Academic Council would be a desirable step and therefore need not be objected to. So far as the Syndicate is concerned it is neither desirable nor necessary that a student representative should sit on it.

The Faculties and the Boards of Studies

25. (1) (a) and (b) No change.
 (c) Arts, Sciences, Commerce, Technology, Engineering, Teaching, Law, Education and
 (d) to (2) (b) No change.
26. No change.

26 (A) Council of Affiliated Colleges

(1) The Council of Affiliated Colleges shall consist of the following Ex-officio members:—

- (a) The Vice-Chancellor who shall be the Chairman.
- (b) The Director in charge of Higher Education.
- (c) Heads of Departments of the University.
- (d) Principals of Affiliated Colleges and
- (e) Dean of Student Affairs.

(2) Powers : The Council may meet atleast twice a year and make recommendations to the concerned authorities of the University regarding the Academic and Administrative problems of the Affiliated Colleges and maintenance of standards.

26 (B) Students' Council

1. The Students' Council shall consist of the following members:

Class I—Ex-officio

- (a) The Vice-Chancellor who shall be the Chairman.
- (b) The Director in charge of Higher Education.
- (c) Five University Professors.
- (d) Dean of Student Affairs.
- (e) Principals of ten affiliated Colleges by rotation to be nominated by the Chancellor.
- (f) Principals of three Oriental Colleges by rotation to be nominated by the Chancellor.
- (g) One student member each of the Senate and Academic Council to be nominated by the Vice-Chancellor.

Class II Members

One Student representative for each affiliated and oriental college. In the event of the college having a students union, the student elected President/Chairman of the College Union shall represent the College on the Students' Council. If there is no Union for the College or if for some reason it has been decided not to hold elections, the student representative shall be elected by the students of the college through secret ballot to represent the college on the Students' Council.

(2) The Council shall discuss all matters concerning the welfare and discipline of students and make recommendations to the concerned authorities of the University or to the Government as the case may be.

CHAPTER V

General

27. (a) to (c) No change.

(d) Deleted.

28. to 30. No change.

31. (1) Save as otherwise provided, the Senate, the Syndicate, the Academic Council, the Finance Committee, *the Council of Affiliated Colleges and the Students' Council* shall be reconstituted at or about the same time every five years and the members of these authorities shall, except in the case of ex-officio Members, Life Members and co-opted members hold office as members thereof up to the date of the next re-constitution or six months from the date of expiry of the term whichever is earlier.

(2) and (3) No change.

Add :

(3-a) If a member of an Authority, other than ex-officio who is elected, nominated, appointed or co-opted, remains absent at three consecutive ordinary meetings of the authority, without valid reasons, he shall cease to be the member of the body to which he was elected, nominated, appointed or co-opted, as the case may be.

Provided, however, for valid reasons to be furnished by the member, the Chancellor may, on the recommendation of the Vice-Chancellor, restore the membership.

(4) and (5) No change.

*31. (A)

* To be retained, modified or deleted after examination by Law Department.

32. No change.

32 (A) All graduates of the University and holders of such of the Oriental titles and diplomas *awarded by the University* shall be entitled to have their names enrolled in the register of registered graduates and to enjoy all privileges of registration.

Proviso—Deleted.

** Provided that the registration is renewed by the graduates every five years after the date of initial registration or the commencement of this Act whichever is later.

CHAPTER VI

Teaching and Admission of Students

33. (1) to (3) No change.

34. (1) No student shall be eligible for admission to a course of study qualifying for admission leading to a University Examination after *Intermediate* unless he has passed the examination prescribed as qualifying for admission to such course or an examination recognised by the Academic Council as equivalent thereto and possesses such other qualifications, if any, as may be prescribed.

(2) No change.

34(A) No change.

CHAPTER VII

Appointment of Teachers etc.

35. No change.

36. There shall be constituted a Selection Committee in regard to the appointment of teachers of and above the rank of Lecturers which shall consist of the following persons namely :—

- (1) The Vice-Chancellor who shall be the ex-officio Chairman of the Committee ;
- (2) The Director *in charge* of Higher Education.
- (3) The *Dean* of the Faculty concerned.
- (4) The Chairman of the Board of Studies concerned.

** Law may examine this clause with regard to its legal soundness *vis-a-vis* the existing provision and advise.

- (5) The Head of the Department concerned.
- (6) No change.
- 37. No change.

CHAPTER VIII

University Funds etc.

- 38. No change.
- 39. (1) No change.

(2) Contributions or grants which may be made by the State Government, the Central Government, the University Grants Commission or the State University Grants Committee on such conditions as they may determine towards the development of laboratories, libraries, museums and workshops and the salaries of such teachers of the University as are appointed for research and for the advancement and dissemination of knowledge in particular branches of learning.

40. No change.

40-A. (1) (a) and (b) No change.

(c) *Three* members chosen by the Syndicate from its members.

(2) No change.

40. (B) and 41. No change.

CHAPTER IX

No change.

CHAPTER X

No change.

APPENDICES



APPENDIX I

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

COMMITTEE—Comprehensive Education Bill and other matters—
Constitution of a Committee—Orders issued.

EDUCATION DEPARTMENT

G. O. Ms. No. 272

Dated 20th March, 1974.

ORDER :

The State Level Seminar on Education convened by the Government on the 15th, 16th and 17th of March, 1974 considered many aspects of Education in the State and made a series of recommendations. The deliberations of the Seminar included a discussion in particular, of the draft comprehensive Education Bill which is due for submission to the State Legislature. Government is of the view that the recommendations of the Seminar should be carefully studied by a broad-based Committee representing educationists, legislators, administrators, students, aided managements and others concerned.

The Government is accordingly pleased to constitute a Committee, with immediate effect (with members as indicated in the annexure) to go into the following matters and make a report to the Government not later than the 30th of April, 1974 :—

- (1) Recasting the draft of the comprehensive Education Bill so as to incorporate the major recommendations of the seminar on the Bill and also to make it as comprehensive as possible, keeping in view the dynamics of educational change both inside the State and the country but also, to the extent relevant, the major trends in the world at large.
- (2) The recommendations of the Seminar in regard to pre-primary and primary education, secondary education, intermediate and collegiate education and other areas covered by the Seminar in its various groups.
- (3) To suggest such amendments as are necessary and urgent to the existing University Acts and the Board of Intermediate Education Act in the State.

The Committee is empowered to hold its sittings at Hyderabad and at any other place inside the State as it considers necessary. The Committee is also empowered to call any person as a special invitee for any of its meetings.

It shall be a first class committee for the purpose of T.A. and D.A. The expenditure of officers of Government on T.A. and D.A. will be debitable to the respective heads to which the expenditure on their salaries is debited. T.A. and D.A. of the non-official members will be debitable to the head under "277 Education H. General (s) Direction and Administration (1) Headquarters Office (3) T.A. and D.A." T.A. and D.A. of legislators will be governed as per procedure prescribed in paragraph 2 (4) of G. O. Ms. No. 2130 Finance T.A. Department dated 9-5-1960.

This issues with the concurrence of Finance Department vide their U.O. No. 282/FPSP/74, dated 28-3-1974.

(BY ORDER AND IN THE NAME OF THE GOVERNOR
OF ANDHRA PRADESH)

DILSUKHRAM,
Secretary to Government.

To

All the Members.
The Accountant General, A.P., Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The Director of Public Instruction, Hyderabad.
Copy to Finance (EE) Department.
Copy to Finance (BG) Department.
Copy to Registrars of the five Universities.
Copy to Panchayat Raj Department.
Copy to Health and Municipal Administration Department.
Copy to Secretary to Chief Minister.
Copy to Private Secretary to M (Edn).
Copy to Private Secretary to Chief Secretary.

Forwarded : By Order

Sd/-
Section Officer.

ANNEXURE

Members of the Committee

1. Sri M. V. Rajagopal, M.A. (Cantab), I.A.S.,—Chairman Secretary to Government, Panchayat Raj Department.
2. Sri Dilsukhram, I.A.S., Secretary to Government, Education Department.
3. Sri L. Bullayya, M.A., B.Ed., Vice-Chancellor, Andhra University.
4. Sri N. Narottam Reddy, M.A., Vice-Chancellor, Osmania University.
5. Dr. D. Jaganatha Reddy, M.D., Vice-Chancellor, Sri Venkateswara University, Tirupati.
6. Sri M. R. Pai, M.A., I.A.S., Vice-Chancellor, A. P. Agricultural University.
7. Sri T. R. Doss, B.E., Vice-Chancellor, Jawaharlal Nehru Technological University.
8. Sri V. Ramachandran, B.A. (Hon), B.Ed., Director of Public Instruction.
9. Secretary to Government, Finance Department, or his nominee.
10. Secretary to Government, Law Department, or his nominee.
11. Sri Vemulapalle Srikrishna, M.L.A.
12. Sri K. V. Gopalaswamy, M.A. (Oxon), Bar-at-Law, former Registrar, Andhra University, Hyderabad.
13. Dr. G. S. Melkote, M.P., Hyderabad.
14. Sri V. P. Raghavachari, M.A., M.L.C., Hyderabad.
15. Sri D. S. Subramanyam, M.A., M.L.C., Eluru.
16. Sri M. R. Appa Rao, M.A., M.L.A., Nuzvid, Krishna District.
17. Sri M. Narayana Reddy, M.L.A., Nizamabad.
18. Sri Jupudi Yagnanarayana, M.L.C.

19. Sri H. Satyanarayana Rao, B.A., B.L., M.L.A., Adoni, Kurnool District.
20. Sri Vavilala Gopalakrishnayya, Sattenapalle, Guntur Dist.
21. Dr. Smt. Sridevi, M.A., Ph.D., Principal, Kasturba Women's College, Hyderabad.
22. Sri G. Jagannadha Raju, Bhimavaram, West Godavari Dist. President, Aided College Management.
23. Student representative from Andhra University, Waltair. (to be nominated).
24. Student representative from Osmania University, Hyderabad. (to be nominated).
25. Student representative from Sri Venkateswara University, Tirupati. (to be nominated).
26. Student representative from Jawaharlal Nehru Technological University, Hyderabad. (to be nominated).
27. Student representative from A. P. Agricultural University. (to be nominated).
28. Sri S. B. P. K. Satyatarayana Rao, Chairman, Zilla Parishad, East Godavari District.
29. Sri M. Bhoj Reddy, Chairman, Zilla Parishad, Hyderabad.
30. Sri R. V. Krishnan, I.A.S., Deputy Secretary, Education Department—Convenor.

The following two additional members were nominated on the Committee vide Government Memo No. 30-R/74-1 Education Department dated 27-5-1974.

1. Smt. Shyamala Devi, Vice-Chairman, State Council for Education of Women, Red Hills, Hyderabad-4.
2. Sri D. Sangameswara Rao, Deputy Registrar, Jawaharlal Nehru Technological University, Hyderabad.

APPENDIX II

Committee for suggesting Amendments to University Acts

Group I

1. Sri M. V. Rajagopal, M.A., (Cantab), I.A.S., Secretary to Government, Panchayat Raj Department, and Chairman of the Committee.
2. Sri N. Narotham Reddy, Vice-Chancellor, Osmania University.
3. Sri L. Bullayya, Vice-Chancellor, Andhra University.
4. Dr. D. Jaganatha Reddy, Vice-Chancellor, Sri Venkateswara University.
5. Sri M. R. Pai, Vice-Chancellor, Andhra Pradesh Agricultural University, Hyderabad.
6. Sri T. R. Doss, Vice-Chancellor, Jawaharlal Nehru Technological University.
7. Sri K. V. Gopalaswamy, M.A., (Oxon), Bar-at-Law.
8. Sri H. Satyanarayana Rao, M.L.A., Adoni.
9. Sri V. Srikrishna, M.L.A.
10. Sri Vavilala Gopalakrishnayya.
11. Sri M. Narayana Reddy, M.L.A.
12. Dr. S. Sridevi, Principal, Kasturba Women's College, Secunderabad.
13. Sri M. Venkaiah, Student representative of Andhra University.
14. Sri M. Vaman Pai, Student representative of Osmania University.
15. Sri V. Harshavardhan, Student representative of Andhra Pradesh Agricultural University.

APPENDIX III

Chairman's note of reservation on the proposed deletion of the office of the Pro-Chancellor

The recommendation of the Committee that the office of the Pro-Chancellor may be abolished has no doubt a great deal of justification behind it, because this office has been, over the last many years more formal than functional. It would, therefore, appear that the abolition of this office might not make any difference to the effectiveness of University governance. With due deference to the Committee's view, I would like to advance a point or two for its retention in what I regard as altered circumstances. With the proposed abolition of the office of the Pro-Chancellor who, according to the existing provisions of the Act is expected to discharge all the powers and responsibilities of the Chancellor in the absence or inability of the latter, this function would, if the Committee's suggestion were accepted, devolve in future upon the next functionary in the hierarchy, namely, the Vice-Chancellor. The Vice-Chancellor, being the principal academic and executive head of the University, his recommendations and proposals, particularly in important matters which have to go to the Chancellor, need a second scrutiny which cannot be secured if the Vice-Chancellor assumes the powers and functions of the Chancellor also during his absence or inability. Secondly it is a well-known fact that the number of Universities in the States is fast multiplying and unlike the spacious old days when the Chancellor was called upon to look into the affairs of one, two or at the most three Universities in a State, he has now to devote his attention to many more. In the State of Andhra Pradesh itself, there are now five Universities of which the Governor is the Chancellor and it is not unlikely that in the very near future this may go up to seven. Viewed in this light, it might be almost necessary to retain the office of the Pro-Chancellor so that, even in the ordinary course of events, quite apart from the absence or inability of the Chancellor, some delegation of functions from the Chancellor, to the Pro-Chancellor, might become both necessary and desirable. I would urge this aspect of the matter also be considered before the Government takes a final decision on this recommendation.

M. V. RAJAGOPAL,
Chairman,

A. P. Comprehensive Education
Bill Committee.

APPENDIX IV

To

The Chairman,
Education Bill Committee.

Respected Sir,

Sub:- Note on amendments to the University Acts-appointment of
Vice-Chancellors.

I feel that no politician should be appointed as Vice-Chancellor
I request you to note down my note on this point.

Yours

Sd/- M. VENKIAH NAIDU
*Student representative of
Andhra University, Waltair.*

Dated 7-5-74

APPENDIX V-a

L. BULLAYYA
Vice-Chancellor

ANDHRA UNIVERSITY
WALTAIR

VISAKHAPATNAM-530003
(Andhra Pradesh)

Date 6-5-1974.

Dear Shri Rajagopal :

I have seen the proceedings of the Group on Amendments to University Acts sent with the letter No. 1205/F1/74-26 of 24 April. Unfortunately, I will not be able to attend the meeting of the group on 7-5-1974. I am therefore deputing again my Registrar. But, I thought, I should send my views on one or two issues noted in the proceedings.

The decision that the Senate should be termed the Supreme Governing Body of the University seems a little odd in the light of the recent recommendations of the Gajendragadkar Committee, and the latest thinking of the Parliament and the State Legislature as seen from the recent University enactments passed by them. A reference to the Aligarh Muslim University Act or the Jawaharlal Nehru University Act or the Jawaharlal Nehru Technological University Act makes this clear. What is more surprising is the decision that while retaining in the Andhra University Act the provision defining the Senate as the Supreme Governing Body it is proposed to empower the Senate to review the actions of the Syndicate and the Academic Council even if they have acted in accordance with the powers conferred on them. This, I am afraid, will lead to a stalemate in the administration of the University. The power to review carries with it the power to revise (vide Concise Oxford Dictionary) the decisions taken by the Academic Council and Syndicate and this leads to the absence of any finality or certainty in the decisions taken. The Model Act Committee also recommended earlier that "The Court should have no power to interfere with the decisions of other authorities acting within the powers given to them by law, the Court is not to be regarded as a superior body to revise the decisions of the Executive Council and the Academic Council. Legislation by the Executive Council or by the Academic Council need not require confirmation by the Court. It should operate as a body concerned with general policy and the well-being of the University. All detailed matters such as appointments, fixing of fees, conduct of examinations etc., shall come within the province of the Executive Council." It is these considerations, I am sure, that

weighed with the Parliament when it passed the Jawaharlal Nehru University Act, Section 11 of which reads as follows :

- (1) "The Court shall be the supreme authority of the University, and its constitution and the terms of Office of its members shall be prescribed by the Statutes.
- (2) The Court shall have the power to review the acts of the Executive Council and the Academic Council (save when these authorities have acted in accordance with the powers conferred upon them under this Act, the Statutes or the Ordinances) and shall exercise all the powers of the University not otherwise provided for by this Act or the Statutes :

PROVIDED that the power of review under this sub-section shall not be exercised except by a majority of the total membership of the Court and by a majority of not less than two-thirds of the members of the Court present and voting."

Similarly, Section 23 of the Aligarh Muslim University Act reads as follows :

- (1) "The Constitution of the Court and the term of Office of its members shall be such as may be prescribed by the Statutes.
- (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, annual accounts of the University and the audit report thereon ;
 - (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.

It is in keeping all these aspects in view that the amendment to Section 16 of the Andhra University Act proposed by the Syndicate was made. Should this proposal be not acceptable to the Committee, the present provisions in the University Acts may be retained as they are, each according to the genius of the University concerned. At any rate, the legal implications of the proposed deletion of the saving clause have to be ascertained fully before a final decision is taken.

With regard to the composition of the Senate, there is a feeling among Professoriate and Principals of the affiliated Colleges that they are not adequately represented on the Senate, and that the membership to all of them should be restored as previously existed in the Act before the amendment in 1966 came into effect. It is for this purpose in the amendment proposed by the university it was suggested that all the

Professors and the Heads of Departments in the University Colleges and all the Principals of the affiliated Colleges should be made members of the Senate. As you may recall, this question was also discussed at the last meeting you had with the Senior Professors and Members of the Syndicate at Waltair.

Reduction in the number of members on the Academic Council too is, I am afraid, not desirable. The Academic Council is the highest academic body envisaged in the scheme of things as at present and it is necessary that all the Professors and Heads of Departments should be on it as also the Principals of affiliated Colleges. The areas of research and specialisation of each Professor is invariably different from another's. While the presence of all the Heads of Departments affords an opportunity for inter-departmental co-ordination, the presence of all the professors makes it possible for coordination between the different areas of specialisation. Further, each affiliated College has its own special problems and as such it has to be represented on the Academic Council to represent its point of view before a final decision is taken in all academic matters.

You may recall that when you met the Senior Professors at Waltair it was suggested by them that the University could perhaps have one single authority in place of the present Senate and the Academic Council. Such an idea was actually mooted by Prof. Samuel Mathai and Dr. S. S. Bhandarkar at the Inter-University Board Meeting held in January, 1969. The structure of the University authorities in the Andhra Pradesh Agricultural University Act and the Jawaharlal Nehru Technological University Act, is patterned almost on the lines envisaged by them.

As regards the conditions of service relating to the Vice-Chancellors, I may mention that when the Vice-Chancellors of Andhra, Osmania and Sri Venkateswara Universities met the Chief Minister in March last, we represented that the same conditions of the service be made applicable to all the Vice-Chancellors in the State, be they Vice-Chancellors of general Universities or specialised Universities like the Agricultural and Technological Universities.

The relevant provisions relating to the Jawaharlal Nehru University, Aligarh Muslim University and the Jawaharlal Nehru Technological University may please be looked into.

If it is proposed not to make any other amendments to the conditions of service relating to the Vice-Chancellor excepting the one concerning his emoluments, the other conditions as at present may be retained. The Vice-Chancellor who is not provided with a car has to be paid suitable allowance for the maintenance of his own car. Specific reference to 'official use' of the Car might lead to all sorts of undesirable hair-splitting and controversy. No Vice-Chancellor, I am sure, will make an unconscious use of the University Car.

To the Office of the Pro-Vice-Chancellor, the group seems to have recommended, a nominee of the Vice-Chancellor from among the seniormost Professors in the University Colleges be appointed on a salary of Rs. 2,500/- per mensem. In the light of the pay scales to the University teaching staff recommended by the University Grants Commission, this recommendation seems to be a little incongruous.

The senior most Professor may also happen to be a Professor of eminence drawing a pay of Rs. 3,000/- per mensem and he will automatically be excluded from Pro-Vice-Chancellorship.

I do not see why other Officers in the University need be defined in the Act itself. Each University may be allowed to define its own Statutory Officers. The existing provision in the Andhra University Act which enables the Officers other than Vice-Chancellor, Principals, Registrar and Chairmen of Faculties to be defined by the Statutes may be retained as it is.

The Dean of Student Welfare or Affairs will necessarily be among the Statutory Officers of the University. When such a Dean is appointed, he should be made an Ex-Officio Member of the Senate of the University. But the Dean, I am afraid, cannot be the Chairman of the Council of Affiliated Colleges. The Council as you know, is not concerned only with Student affairs. All matters concerning the administrative and academic organisation of affiliated Colleges fall within its purview. The Vice-Chancellor or the Pro-Vice-Chancellor should therefore be its Chairman.

There are other important amendments suggested by this University. The amendments relating to the list of Registered Graduates and to temporary supersession of intransigent managements of affiliated Colleges should also be considered as urgent and taken up for immediate consideration by the Legislature.

I have not been able to attend any of the Meetings of the Group. I understand that Dr. Jagannatha Reddy also could not attend likewise. Moreover there are many important amendments proposed to the Act involving questions of policy, I therefore sincerely feel that a meeting of the group with the Chief Minister and the Education Minister would be necessary for finalising the recommendations. Alternatively, a meeting of the Vice-Chancellors with the Chief Minister, Education Minister, yourself and the Education Secretary may be arranged before final action is taken by the Government on the recommendations of the Group. I request you therefore to place these matters before the Minister for Education and the Chief Minister.

With regards,

Yours sincerely,

Sd/-

(L. BULLAYYA)

SHRI M. V. RAJAGOPAL, M.A. (Cantab), I.A.S.,
*Secretary to Government, and Chairman,
Committee on Comprehensive
Education Bill.*

Government of Andhra Pradesh,
Education (F) Department,
HYDERABAD.

APPENDIX V-b

N. NAROTHAM REDDY
Vice-Chancellor

OSMANIA UNIVERSITY
HYDERABAD- 500007,
Andhra Pradesh (INDIA)

No. VCP/125

Dated : 9th May, 1974

Dear Shri Rajagopal Garu,

The amendments to the Osmania University Act was discussed in the Committee on Comprehensive Education Bill on 7th May, 1974. There are one or two points on which I would like my opinion to be incorporated in the proceedings.

(1) It was decided that the salary of the Vice-Chancellor should be fixed at Rs. 3,000/- per month without any other allowances. The sub-committee had earlier decided that the Vice-Chancellor should be paid a gratuity at the rate of one month's salary for every year of completed service. This was, however, not agreed to by the main Committee. This matter was discussed in the Three Vice-Chancellors' Conference and their recommendations were also sent to Government. As the other two Vice-Chancellors could not attend the meeting of the Committee, I feel it my duty to bring to your notice the recommendations of the Three Vice-Chancellors' Conference. It was decided that the Vice-Chancellors should be paid a salary of Rs. 3,000/- per month, a gratuity at the rate of one month's salary for every completed year of service, contributory provident fund and free furnished accommodation. If the Committee is not in favour of agreeing for gratuity, it should have no objection to the other two recommendations. This escaped my attention and I did not present it before the Committee. I will be obliged if this could be appended as a note which would ultimately be considered by Government when the final amendments to the Act are formulated in the shape of a Bill.

(2) Regarding the powers of the Senate, whether it should be a supreme body or not, there was lot of discussion both in the sub-committee and main committee. Shri Bullayya, Vice-Chancellor, Andhra University, had also sent his written views to the main committee. The committee's decision is to term the Senate as the supreme body with

powers to review all the actions of the Syndicate and the Academic Council and deleting the proviso existing in the Andhra University Act that this review cannot extend to the actions taken by the Syndicate and the Academic Council regarding matters which fall under their purview. Both in the sub-committee and the main committee, I had expressed the view that there need not be uniformity in all the Acts of the three Universities and as such the existing provisions in this regard may be left without any amendments. If, however, it is felt that some thing specific should be included, which does not exist in the Osmania University Act, the existing provisions of Andhra University Act, without the deleting the proviso, may be incorporated in the Osmania University Act also. A note regarding my point of view may be included in the minutes for consideration by Government for framing the amendments to the Osmania University Act.

With best regards,

Yours sincerely,

Sd/-

(N. NAROTHAM REDDY)

SHRI M. V. RAJAGOPAL, M.A. (Cantab), I.A.S.,
Secretary to Government,
(Panchayat Raj Department) and
Chairman,
Committee on Comprehensive Education Bill,
Government of Andhra Pradesh,
HYDERABAD.

APPENDIX V-c

M. R. PAI, I.A.S.
Vice-Chancellor

Telephone : 32818
Andhra Pradesh Agricultural University
"Nirupam" 8-2-406,
Road No. 6, Banjara Hills,
Hyderabad-500034,

Dated : 10th May, 1974

My Dear Rajagopal,

As suggested by you I am sending a note on the question of powers of the Senate and student representation on the several Authorities of the University. This note may be considered as being my views on these two topics.

With best wishes.

Yours sincerely

Sd/-

(M. R. PAI)
10-5-1974

SRI M. V. RAJAGOPAL, I.A.S.,
Secretary to Government,
Panchayat Raj Department,
Government of Andhra Pradesh
HYDERABAD.

[Note

NOTE

I note with considerable dismay, the discussion and the majority view regarding the powers of review proposed to give to the Senate in the amended Universities Act. There seems to be a feeling that once the word "Supreme" is used in connection with the Senate, it should have the power to do everything including, if necessary, revision of the orders and decisions taken by the other authorities under the powers delegated to them. In my view, each authority should be "Supreme" within its own sphere and jurisdiction. It does not seem necessary to say that there is one body or authority which alone is "supreme". If the majority view is accepted, it would give to the Senate, power to revise and if need be reverse the decisions and ruling given by the Vice-Chancellor even about admissibility.

As you are aware, there is a legal duty cast on the Vice-Chancellor to "ensure the faithful observance of the provisions of the University's Act, Statutes etc., and in order to enable him to discharge this function", he is authorised to exercise "all powers necessary for this purpose", including interpretation of rules etc. It may also be noted that his decision on a question of interpretation is capable of being taken in appeal to the Chancellor. You may recall that Sri Vavilala Gopalakrishniah made a reference to the powers of the Speaker in the Assembly to decide whether to admit or not to admit any motion and he pointed out that the Speaker's decision is final. The Vice-Chancellor on whom the legal responsibility is cast to ensure the faithful observance of the Act etc., has been given powers which are not as sweeping. If, therefore, the present proposal to enable the Senate to question and over rule the Vice-Chancellor's interpretation goes through it would have not only be a very serious and undesirable erosion of the authorities vested in him but it would also amount to setting at nought the relevant provision in the Act, which makes him responsible.

I, therefore, feel that whether the word "Supreme" is used or not, the present saving clause which exists in the University's Acts should be retained. After all, the Vice-Chancellor and other authorities would certainly give the highest consideration to the views of the Senate in any matter. Further, when the Senate is the policy making body and also

the body which holds the purse strings by virtue of its authority to pass the budget with such amendments as may be thought fit in its wisdom, it seems to me that this itself makes it "Supreme". But enabling it to review and revise decisions of other bodies, would not be in the interest of the smooth functioning of the University.

Regarding student representation, I am afraid, we are allowing idealism to have the better of realism. Since the decision to allot 15% of the total number of seats in the Senate to students to be filled by election has already been taken, I would not like to say anything except to state that I have grave reservations in this regard. But enabling further representation for students in the Syndicate and even more so in the Academic Council seems to be not at all a desirable move. The Syndicate will be dealing with the appointments of teachers and situations could easily arise where an aspirant from the teaching staff would try to curry favour with the student representatives on the Syndicate.

As far as the Academic Council is concerned, knowing and having seen the subjects dealt with and decided upon by the Academic Council, I have no doubt that the role which the student representatives can play in this body is almost nil. Since we are also contemplating a Students' Council with a very broad based representation and which is going to be presided over either by the Vice-Chancellor or a senior Professor, it does not seem necessary to have any further representation from the student community on the Academic Council or the Syndicate. The Students' Council has been given wide ranging responsibilities and any recommendation which this Council would make would certainly be placed before the respective Authorities for their consideration. It does not therefore appear to be either necessary or desirable to go in farther in this regard by giving representation on these two bodies.

Sd/-

(M. R. PAT)

APPENDIX VI

To
The Chairman,
Education Bill Committee,

Date 7-5-74

- Sub :—(1) Note of dissent regarding the nomination to the
Syndicate from legislators.
- (2) Separate student constituency from Senate to the
Syndicate.

Respected Sir,

I differ with the recommendation of the group on amendment to the University Act regarding the nomination of the legislators. I feel personally there is no necessity for any nomination from legislators hence they are coming to the senate, from there they can contest to Syndicate.

I feel that a separate constituency from the student Senators may be created to the Syndicate and students be given two seats in the Syndicate.

Yours sincerely

Sd/-

M. VENKAIAH NAIDU

State National Systems Unit,
National Institute of Educational
Planning and Administration
110016 New Delhi-110016

Date: