

Nagaland University Act, 1989

Act No : 35
20th September, 1989

1. The need to have a separate University for the State of Nagaland has been felt for sometime. The higher education needs of the State of Nagaland are presently being served by the North-Eastern Hill University which has jurisdiction over the State.

However, this arrangement has not been able to meet the expectations of the People of Nagaland. The State Government has been continuously pressing for a separate University. A decision was taken, in principle in September, 1987 to establish a Central University in the State of Nagaland to meet the special needs of the State.

2. The Nagaland University will be a teaching-cum-affiliating University with jurisdiction over the entire State with headquarters at Lumami. In addition to offering under-graduate and post-graduate programmes in Humanities and Sciences, the University would focus its attention on subjects related to the development and manpower requirements of the State.

3. With the establishment of the Nagaland University, the jurisdiction of the North-Eastern Hill University shall cease over the State of Nagaland.

4. It is hoped that the establishment of a Central University in Nagaland would meet the aspirations and needs of the people of the State.

5. The Bill seeks to achieve the above objectives. -Gaz. of Ind., 18-8-1989, Pt. II, S. 2, Ext" p. 40 (No. 37).

An Act to establish and incorporate a teaching and affiliating University in the State of Nagaland and to provide for matters connected therewith or incidental thereto. BE it enacted by Parliament in the Fortieth Year of the Republic of India as follows :-

Section 01: SHORT TITLE AND COMMENCEMENT

(1) This Act may be called the Nagaland University Act, 1989.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

SECTION 02: DEFINITIONS

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

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

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

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

(d) "Chancellor", "Vice-Chancellor" and "Pro-Vice-Chancellor" mean, respectively, the Chancellor, Vice-Chancellor and Pro-Vice-C

(e) "College" means a College maintained by, or admitted to the privileges of, the University;

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

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

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

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

(j) "Executive Council" means the Executive Council of the University;

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

(l) "Institution" means an academic institution, not being a College, maintained by, or admitted to the privileges of, the University;

(m) "North-Eastern Hill University" means the University established under Section 3 of the North-Eastern Hill University Act, 1973-;

(n) "Planning Board" means the Planning Board of the University;

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

(p) "recognised Institution" means an institution of higher learning recognised by the University;

(q) "recognised teachers" means such persons as may be recognised by the University for the purpose of imparting instructions in a College or an Institution admitted to the privilege of the University;

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

(s) "School" means a School of Studies of the University;

(t) "Statutes" and "Ordinances" mean, respectively, the Statutes and the Ordinances of the University for the time being in force;

(u) "teachers of the University" means Professors, Readers, Lecturers and such other persons as may be appointed for imparting instruction or conducting research in the University or in any College or Institution maintained by the University and are designated as teachers by the Ordinances;

(v) "University" means the Nagaland University established under this Act.

Section 03: THE UNIVERSITY

(1) There shall be established a University by the name of "Nagaland University".

(2) The headquarters of the University shall be at Lumami and it may also establish campuses at such other places within its jurisdiction as it may deem fit.

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

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

Section 04: OBJECTS OF THE UNIVERSITY

The objects of the University shall be to disseminate and advance knowledge by providing instructional and research facilities in such branches of learning as it may deem fit; to make provisions for integrated courses in humanities, natural and physical sciences, social sciences, agricultural science and forestry and other allied disciplines in the educational programmes of the University; and to take appropriate measures for promoting innovations in teaching- learning processes, inter-disciplinary studies and research; to educate and train manpower for the development of the State of Nagaland; and to pay special attention to the improvement of the social and economic conditions and welfare of the people of that State, their intellectual, academic and cultural development.

Section 05: TRANSFER OF PROPERTIES OF NORTH-EASTERN HILL UNIVERSITY

On and from the commencement of this Act, all properties of the North-Eastern Hill University in the State of Nagaland shall stand transferred to, and vest in, the University and shall be applied to the objects for which the University is established.

Section 06: POWERS OF THE UNIVERSITY

- The University shall have the following powers, namely :-

(i) to provide for instruction in such branches of learning as the University may, from time to time, determine and to make provision for research and for the advancement and dissemination of knowledge;

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

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

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

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

(vi) to institute Principalships, Professorships, Readerships, Lecturerships and other teaching or academic positions, required by the University and to appoint persons to such Principalships, Professorships, Readerships, Lecturerships or other teaching or academic positions;

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

(viii) to recognise persons for imparting instructions in any College or Institution admitted to the privileges of the University;

(ix) to appoint persons working in any other University or organisation as teachers of the University for a specified period;

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

(xi) to co-operate or collaborate or associate with any other University or authority or institution of higher learning in such manner and for such purposes as the University may determine;

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

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

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

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

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

(xvii) to admit to its privileges colleges and institutions not maintained by the University; to withdraw all or any of those privileges in accordance with such conditions as may be prescribed by the Statutes; to recognise, guide, supervise, and control Halls not maintained by the University and other accommodation for students, and to withdraw any such recognition;

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

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

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

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

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

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

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

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

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

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

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

Section 07: JURISDICTION

(1) The jurisdiction of the University shall extend to the whole of the State of Nagaland.

(2) On and from the commencement of this Act, all Colleges, Institutions, Schools and Departments affiliated to, or admitted to the privileges of, or maintained by, the North-Eastern Hill University shall stand affiliated to, or admitted to the privileges of, or maintained by, the University.

(3) On and from the date of commencement of this Act, the North-Eastern Hill University shall cease to exercise its jurisdiction in the State of Nagaland.

Section 08: UNIVERSITY OPEN TO ALL CLASSES, CASTES AND CREED

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

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the employment or admission of women, physically handicapped or of persons belonging to the weaker sections of the society and, in particular, of the Scheduled Castes and the Scheduled Tribes.

Section 09: THE VISITOR

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

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

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

(4) The Visitor shall, in every matter referred to in sub-section (2), give notice of his intention to cause an inspection or inquiry to be made,-

(a) to the University, if such inspection or inquiry is to be made in respect of the University or any College or Institution maintained by it, or

(b) to the management of the College or Institution, if the inspection or inquiry is to be made in respect of the College or Institution admitted to the privileges of the University, and the University or the management, as the case may be, shall have the right to make such representations to the Visitor, as it may consider necessary.

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

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

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

(8) The Visitor may, if the inspection or inquiry is made in respect of any College or Institution admitted to the privileges of the University, address the management concerned through the Vice-Chancellor with reference to the result of such inspection or inquiry, his views thereon and such advice as he may be pleased to offer upon the action to be taken thereon.

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

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

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

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

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

Section 10: THE CHIEF RECTOR

The Governor of the State of Nagaland shall be the Chief Rector of the University.