

THE BABASAHEB BHIMRAO AMBEDKAR UNIVERSITY BILL, 1994

(As passed by the Houses of Parliament)

A bill to establish and incorporate a teaching and residential University in the State of Uttar Pradesh and to provide for matters connected there with or incidental thereto.

Be it enacted by Parliament in the forty-fifth Year of the Republic of India as follows:-

1. (1) Short title and commencement.

This Act may be called the Babasaheb Bhimrao Ambedkar University Act, 1994.

2. Definitions.

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

- (a) "Academic Council" means such categories of staff as are designated as academic staff by the Ordinances;
- (b) "academic staff" means such categories of staff as are designated as academic staff by the Ordinances;
- (c) "Board of Management" means the Board of Management of the University;
- (d) "Board of Studies" means the Board of Studies of the University;
- (e) "Chancellor", "Vice-Chancellor" and "Pro-Vice-Chancellor" means, respectively, the Chancellor, Vice-Chancellor and Pro-Vice-Chancellor of the University;
- (f) "College" means a College maintained by 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, contact programmes or the combination of any two or more such means;
- (i) "employee" means any person appointed by the University; and includes teachers and other staff of the University;
- (j) "Finance Committee" means the Finance Committee 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 of an Institution, maintained by the University;
- (l) "Institution" means an academic institution, not being a College, maintained by the University;
- (m) "Planning Board" means the Planning Board of the University;
- (n) "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;
- (o) "recognised institution" means an institution of higher learning recognised by the University;
- (p) "recognised teachers" means such persons as may be recognised by the University for the purpose of imparting instructions in a College or an Institution maintained by the University.
- (q) "Regulations" means the Regulations made by any authority of the University under this Act for the time being in force;
- (r) "School" means a School of Studies of the University;
- (s) "Statutes" and "Ordinances" mean, respectively, the Statutes and Ordinances of the University for the time being in force;
- (t) "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;

(u) "University" means the Babasaheb Bhimrao Ambedkar University established under this Act.

3. The University.

(1) There shall be established a University by the name of "Babasaheb Bhimrao Ambedkar University".

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

(3) The first Vice-Chancellor and the first members of the Board of Management, or the Academic Council or 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 "Babasaheb Bhimrao Ambedkar University".

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

4. Objects of the University.

The objects of the University shall be to promote advanced knowledge by providing instructional and research facilities in such branches of learning as it may deem fit; to make provisions for integrated courses in Science and key and frontier areas of Technology and other allied disciplines in the educational programmes of the University; to offer appropriate courses relevant for the development of socially and economically depressed sections of the people, including agricultural technology and rural crafts; to promote the study of the principles for which Babasaheb Bhimrao Ambedkar worked during his life time, namely, national integration, social justice and democratic way of life, and also study of the constitutions of the world to take appropriate measures for promoting innovations in teaching-learning processes in inter-disciplinary studies and research and pay special attention to the promotion of educational and economic interests and welfare of the people in general and of members belonging to the Scheduled Castes and the Scheduled Tribes in particular by providing adequate percentage of seats for the Scheduled Castes and the Scheduled Tribes and the University shall, in organising its activities, have due regard to the objects specified in the First Schedule.

5. Power 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 organize and to undertake extra-mural 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 Lectureships and other teaching or academic positions, required by the University and to appoint persons to such Principalships. Pro- fessorship, Readerships Lectureships or other teaching on 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 maintained by the University;
- (ix) to appoint persons working in any other University or organisation as teacher 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, student ships, 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 organizations, as the University may deem necessary;

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

(xvii) to make special arrangements in respect of the residence discipline and teaching of women students as the University may consider desirable;

(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 the University, which may include examination, evaluation or any other method of testing;

(xxi) to fix quota for students belonging to the Scheduled Castes and the Scheduled Tribes for admission purposes;

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

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

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

(xxv) 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;

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

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

(xxix) 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.

6. Jurisdiction.

The jurisdiction of the University shall extend to the whole of the State of Uttar Pradesh.

7. University open to all classes and creed.

The University shall be open to all persons of either sex and of whatever caste, creed, race class, place of domicile 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 promotion of educational interests 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.

8. Residence of students.

Every student of the University (other than a student who pursues a course of study by distance education system) shall normally reside in a hall or hostel or under such conditions as may be prescribed by the Ordinances.

9. 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 Board of Management 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 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, College 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 to the University and the University shall have the right to make such representations to the Visitor, as it may consider necessary.

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

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

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

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

(9) Where, the Board of 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 Board of Management, issue such directions as he may think fit and the Board of Management shall comply with such directions.

(10) Without prejudice to the foregoing provisions of this section the Visitor may order in writing annual 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.

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

10. Officers of the University.

The following shall be the officers of the University:-

(1) the Chancellor:

(2) the Vice-Chancellor:

(3) the Pro-Vice-Chancellors:

(4) the Pro-Vice-Chancellors:

(5) the Registrar:

(6) the Finance Officer;and

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

11. The Chancellor

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

(2) The Chancellor shall, by virtue of his office, be the head of the University.

(3) The Chancellor shall, if present, preside at the convocation of the University held for conferring degrees and may be delegated such powers as may be necessary.

12. The Vice Chancellor

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

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

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

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

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

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

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

13. The Pro-Vice- Chancellor.

One or more Pro-Vice- Chancellors shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.