

THE UTTAR PRADESH RAJARSHI TANDON OPEN UNIVERSITY
ACT, 1999¹

[U. P. Act No. 10 of 1999]

[As Passed by the Uttar Pradesh Legislature and assented to by the Governor on March 24, 1999 and was published in the *Uttar Pradesh Gazette, Extraordinary*, dated March 24, 1999.]

AN

ACT

to provide for the establishment of an Open University in Uttar Pradesh for the introduction and promotion of distance education systems and for matters connected therewith or incidental thereto.

IT IS HEREBY enacted in the Fiftieth Year of the Republic of India as follows :—

CHAPTER—I

Preliminary

Short title and commencement

1. (1) This Act may be called the Uttar Pradesh Rajarshi Tandon Open University Act, 1999.

(2) It shall come into force on such date as the State Government may, by notification, appoint in this behalf.

Definitions

2. In this Act :—

(a) “Academic Council” and “Executive Council” mean respectively the Academic Council, and the Executive Council of the University ;

(b) “Board of Recognition” means the Board of Recognition of the University ;

(c) “College” means a college or other academic Institution established or maintained by, or admitted to the Privileges of the University ;

(d) “distance education systems” means the systems of imparting education through any means of communication, such as broadcasting, telecasting, correspondence course, seminars, contact programmes or the combination of any two or more of such means ;

(e) “Finance Committee” means the Finance Committee of the University ;

1. For Statement of Objects and Reasons see at the end of this Act.

(f) “other backward classes” means the backward classes of citizens specified in Schedule I of the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and other Backward Classes) Act, 1994, as amended from time to time ;

(g) “Planning Board” means the Planning Board of the University ;

(h) “prescribed” means prescribed by the Statutes ;

(i) “school” means a school of studies of the University ;

(j) “Statutes”, “Ordinance” and “Regulations” mean, respectively, the Statutes, Ordinances and Regulations of the University;

(k) “student” means a student of the University, and includes any person who has enrolled himself for pursuing any course of study of the University ;

(l) “study centre” means a centre established, maintained or recognized by the University for the purpose of advising, counseling or for rendering any other assistance required by the students ;

(m) “teacher” means a person employed for imparting instruction in the University for giving guidance or rendering assistance to students for pursuing any course of study of the University and includes a Principal or Director of a College ;

(n) “University” means the Uttar Pradesh Rajarshi Tandon Open University established under section 3.

CHAPTER—II

The University and its Objects

Establishment and Incorporation of the University

3. (1) There shall be established a University by the name of the Uttar Pradesh Rajarshi Tandon Open University.

(2) The headquarters of the University shall be at Allahabad and it may establish or maintain colleges or study centres at such other places in the State as it may deem fit.

(3) The Chancellor, Vice-Chancellor and the members of the Executive Council and the Academic Council for the time being holding office as such in the University, shall constitute a body corporate by the name of the Uttar Pradesh Rajarshi Tandon Open University.

The Objects of the University

4. The University shall promote dissemination of learning and knowledge through distance education systems to a larger segment of the population and shall, in organising its activities, have due regard to the objects specified in the schedule.

Powers of the University

5. The University shall have the following powers, namely :—

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

(ii) to plan and prescribe courses of study for degrees, diploma, certificates or for any other purpose ;

(iii) to hold examinations and confer degrees, diplomas, certificates or other academic distinctions or recognitions on persons who have pursued a course of study or conducted research in the manner laid down by the Statutes and Ordinances ;

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

(v) to determine the manner in which distance education in relation to the academic programmes of the University may be organized ;

(vi) to institute professorships, readerships, lectureships and other academic positions necessary for imparting instructions or for preparing educational material or for conducting other academic activities, including guidance, designing and delivery of course and evaluation of the work done by the students, and to appoint persons to such professorships, readerships, lectureships and other academic positions ;

(vii) to co-operate with, and seek the co-operation of other universities and institutions of higher learning, professional bodies and organizations for such purposes as the University considers necessary ;

(viii) to institute and award fellowship, scholarships, prizes and such other awards for recognition of merit as the University may deem fit.

(ix) to establish and maintain such regional centres as may be determined by the University from time to time ;

(x) to establish, maintain or recognize Study Centres in the manner prescribed.

(xi) to provide for the preparation of instructional materials, including films, cassettes, tapes, video cassettes and other software's ;

(xii) to organize and conduct refresher courses, workshops, Seminars and other programmes for teachers, lesson writers, evaluators and other academic staff ;

(xiii) to recognize examinations of or periods of study, whether in full or part, at other universities, institutions or other places of higher learning as equivalent to examinations or periods of study in the University, and to withdraw such recognition at any time ;

(xiv) To make provision for research and development in educational technology and related matters ;

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

(xvi) to receive benefactions donations and gift and to acquire old, maintain and dispose of any property movable or immovable including trust and Government property, for the purposes of the University ;

(xvii) to borrow, with the approval of the State Government, whether on the security of the property of the University or otherwise, money for the purposes of University ;

(xviii) to enter into, carry out, vary or cancel contracts ;

(xix) to demand and receive such fees and other charges as may be laid down by the Ordinances ;

(xx) to provide, control and maintain discipline among the students and all categories of employees and to lay down the conditions of service of such employees, including their codes of conduct ;

(xxi) to recognize any institution of higher learning or studies for such purposes as the University may determine and to withdraw such recognition ;

(xxii) to appoint either on contract or otherwise Visit Professors, Emeritus Professors consultants, fellows, scholars, artist course writers and such other persons who may contribute to the advancement of the objects of the University ;

(xxiii) to recognize persons working in other Universities, institutions or organizations as teachers of the University on such term and conditions as may be laid down by the Ordinances ;

(xxiv) to specify conditions for the admission of students courses of study of the University which may include examination evaluation and any other method of testing ;

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

(xxvi) to confer autonomous status on a college or a region centre in the manner prescribed ;

(xxvii) to admit to its privileges any college in the State subject to such conditions as may be prescribed :

Provided that no college shall be so admitted except with the preapproval of the Chancellor ;

(xxviii) to do all such acts as may be necessary or incidental the exercise of all or any of the powers of the University as a necessary and conducive to the promotion of all or any of the objects of the University ;

**Territorial
exercise of
powers**

6. Notwithstanding anything contained in any other law for the time being in force, the University shall in the exercise of its powers has Jurisdiction over the whole of Uttar Pradesh.

**University
open to all
class and
creeds**

7. (1) The University shall be open to persons of either sex irrespective of class or creed, and it shall not be lawful for the University 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 admitted as student in the University or to graduate there at, or to enjoy exercise any privilege thereof.

(2) Nothing in sub-section (1) shall be deemed to prevent the University from making any special provision for the appointment or admission of women or of persons belonging to the Scheduled Castes or Scheduled Tribes or other backward classes.

CHAPTER—III

Inspection and Inquiry

Visitation

8. (1) The State Government shall have the right to cause an inspection to be made, by such person or persons as it may direct, of the University or any college or study centre maintained by the University including its buildings, libraries, laboratories, workshops and equipment and also of the examinations, teaching and other work conducted or done by the University or such college or study centre or to cause an inquiry to be made in the like manner in respect of any matter connected with the administration and finances of the University or such college or such centre.

(2) Where the State Government decides to cause an inspection an inquiry to be made under sub-section (1), it shall inform the University of the same through the Registrar, and any person nominated by the Executive Council may be present at such inspection or inquiry as representative of the University and he shall have the right to be heard as such :

Provided that no legal practitioner shall appear, plead or action behalf of the University at such inspection or inquiry.

(3) The person or persons appointed to inspect or inquire under sub-section (1) shall have all the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908, for the purpose of taking evidence on oath and enforcing the attendance of witnesses and compelling production of documents and material objects, and shall be deemed to be a civil court within the meaning of sections 345 and 346 of the Code of Criminal Procedure, 1973 and any proceeding before him or them shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code.

(4) The State Government shall address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Executive Council the views of the State Government with such advice as the State Government may offer upon the action to be taken thereon.

(5) The Vice-Chancellor shall then within such time as the State Government may fix, submit to it a report of the action taken or proposed to be taken by the Executive Council.

(6) If authorities of the University do not, within a reasonable time, take action to the satisfaction of the State Government, the State Government may, after considering any explanation which such authorities, may furnish, issue such directions as he may think fit and the authorities of the Universities shall comply with such the directions.

(7) The State Government shall send to the Chancellor a copy of every report of an inspection or inquiry caused to be made under sub-section (1) and of every communication received from the Vice-Chancellor under sub-section (5) and of every direction issued under sub-section (6) and also of every report of information received in respect of compliance or non-compliance with such direction.

(8) Without prejudice to the provisions of sub-section (6), if the Chancellor on consideration of any document or material referred to in sub-section (7) is of opinion that the Executive Council has failed to carry out its functions or has abused its powers, he may, after giving it an opportunity of submitting a written explanation, order that in supersession of the said Executive Council, an *ad-hoc* Executive Council, consisting of the Vice-Chancellor and such other persons not exceeding ten in number as the Chancellor may appoint in that behalf including any member of the superseded Executive Council, shall, for such period not exceeding two years as the Chancellor may from time to time specify, exercise and perform all the powers and functions of the Executive Council under this Act.

(9) Upon an order being made under sub-section (8) the term of office of all members of the Executive Council superseded thereby, including *ex-officio* members shall cease and all such members shall vacate their offices as such.

CHAPTER—IV

Officers of the University

Officers of the University

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

- (a) the Chancellor ;
- (b) the Vice-Chancellor ;
- (c) the Pro-Vice-Chancellor ;
- (d) the Directors ;
- (e) the Registrars ;
- (f) the Finance Officer ;
- (g) the Examinations Controller, and

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

The Chancellor

10. (i) The Governor shall be the Chancellor of the University. He shall by virtue of his office, be the Head of the University and shall when present, preside at any convocation of the University.

(ii) Every proposal for the conferment of an honorary degree shall be subject to the confirmation of the Chancellor.

(iii) It shall be the duty of the Vice-Chancellor to furnish such information or records relating to the administration of the affairs of the University as the Chancellor may call for.

(iv) The Chancellor shall have such other powers as may be conferred on him by or under this Act or the statutes.

The Vice-Chancellor

11. (1) The Vice-Chancellor shall be a whole-time salaried officer of the University and shall be appointed by the Chancellor in such manner, for such terms and on such emoluments and other conditions of service as may be prescribed ;

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

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

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

Provided 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 Executive Council within ninety days from the date on which such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice-Chancellor, if he is of the opinion that any decision of any authority is beyond the powers of the authority conferred by the provisions of this act Statutes or Ordinances or that any decision taken is not in the interests of the University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review its 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 Chancellor whose decision thereon shall be final :

Provided that the decision of the authority concerned shall remained suspended during the period of review of such decision by the authority or the Chancellor as the case may be, under this sub-section.

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

The Pro-Vice-Chancellor

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

The Directors

13. Every Director shall be appointed in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed.

The Registrar

14. (1) The Registrar shall be appointed by the State Government in such manner on such emoluments and their conditions of service, and shall exercise such powers and perform such functions as may be prescribed.

(2) The Registrar shall have the power to authenticate records on behalf of the University.

The Finance Officer

15. (1) The Finance Officer shall be appointed by the State Government in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed.

(2) All contracts shall be entered into and signed by the Finance Officer on behalf of the University.

Examination Controller

16. (1) The Examination controller shall be appointed by the State Government in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed.

(2) When, for any reason, the office of the Examination Controller is vacant, all the powers and functions of the Examination Controller shall be performed by the Registrar or by such other persons as may be appointed by the Executive Council.

Other Officers

17. The manner of appointment, emoluments, powers and duties of the other officers of the University shall be such as may be prescribed.

CHAPTER—V

Authorities of the University

Authorities of the University

18. The following shall be authorities of the University :—

- (a) The Executive Council ;
- (b) The Academic Council ;
- (c) The Planning Board ;
- (d) The Board of Recognition ;
- (e) The Schools of studies ;

(f) The Finance Committee ;

(g) The Examination Committee ; and

(h) Such other authorities as may be declared by the Statutes to be authorities of the University ;

**The
Executive
Council**

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

(2) The constitution of the Executive Council, the term of office of its members and its powers and functions shall be such as may be prescribed.

**Academic
Council**

20. (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances, have the control and general regulation of, and be responsible for the maintenance of standard of learning, education, instruction, evaluation and examination within the university and shall exercise such other powers and perform such other function as may be prescribed.

(2) The constitution of the Academic Council and the term of officer of its members shall be such as may be prescribed.

**The Planning
Board**

21. (1) There shall be constituted a Planning Board of the University which shall be the principal planning body of the University and shall also be responsible for the monitoring of the developments of the University on the lines indicated in the objects of the University.

(2) The Constitution of the Planning Board, the term of officer of its members and its powers and functions shall be such as may be prescribed.

**The Board of
Recognition**

22. (1) The Board of Recognition shall be responsible for admitting Colleges and other Institution to the privileges of the University.

(2) The constitution and the other powers and functions of the Board of Recognition shall be such as may be prescribed.

**The School of
Studies**

23. (1) There shall be such number of schools of Studies as the University may determine from time to time.

(2) The constitution, powers and functions of the schools of studies shall be such as may be prescribed.

**The Finance
Committee**

24. The constitution, powers and functions of the Finance Committee shall be such as may be prescribed.

**Other
Authorities**

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

CHAPTER—VI

Statutes, Ordinances and Regulations

Statutes

26. Subject to the provisions of this Act, the Statutes may provide for any matter relating to the University and shall in particular provide for :—

(a) the manner of appointment of Vice-Chancellor, the term of his appointment, the emoluments and other conditions of his service and the powers and functions that may be exercised and performed by him ;

(b) the manner of appointment of Pro-Vice-Chancellor, Directors, Registrar, Examination controller, the Finance Officer and other officers, the emoluments and other conditions of their service and the powers and function that may be exercised and performed by each of such officer ;

(c) the constitution of the Executive Council and other authorities of the University, the terms of office of the members of such authorities and the powers and functions that may be exercised and performed by such authorities :

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

(e) the constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of the employees of the University ;

(f) the principles governing the seniority of service of the teachers and other employees of the University ;

(g) the procedure in relation to any appeal or application for review by any teacher, employee or student of the University against the action of any officer or authority of the University, including the time within which such appeal or application for review shall be preferred or made ;

(h) the procedure for the settlement of disputes between the teachers, employees or students of the University, and the University ;

(i) the allocation and disbursement of grants to colleges and other institutions ;

(j) the conditions that are required to be fulfilled for admission of the colleges to the privileges of the University ;

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

Statutes how made

27. (1) The first statutes of the University shall be made by the State Government by notification.

(2) The Executive Council may from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1) :

Provided that the Executive Council shall not make, amend, or repeal any Statue affecting the status, powers or constitution of any

authority of the University until such authority has been given a reasonable opportunity to express its opinion in writing on the proposed changes and any opinion so expressed has been considered by the Executive Council.

(3) Every new Statute or addition to a statute or any amendment or repeal of statute shall be submitted to the Chancellor, who may assent to it or withhold his assent thereon or remit it to the Executive Council for further consideration.

(4) A new Statute or a statute amending or repealing an existing statute shall not be valid unless it has been assented to by the Chancellor.

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

(6) Notwithstanding anything contained in the foregoing sub-sections the State Government may direct the Executive Council to make provision in the Statutes in respect of any matter specified by it, and if the Executive Council is unable to implement such a direction within sixty days of its receipt, the State Government may, with the assent of the Chancellor, after considering the reasons, if any communicated by the Executive Council for its inability to comply with such direction, make or amend the Statutes suitably.

Ordinances

28. (1) Subject to the provision of this Act and the Statutes, the Ordinances may provide for any matter which by this Act or the Statutes is to be or may be provided for by the Ordinances.

(2) Without prejudice to the generality of the provisions of sub-section (1), the Ordinances shall provide for the following matters, namely :—

(a) the admission of student, the courses of study and the fees therefor, the qualifications pertaining to the degrees, diplomas, certificates and other courses the conditions for the grant of fellowships, award and the like ;

(b) the conduct of examinations, including the terms and conditions and appointment of examiners ; and

(c) the management of Colleges admitted to the privileges of the University.

(3) The first Ordinance shall be made by the Vice-Chancellor with the previous approval of the State Government and the Ordinance so made may be amended, repealed or added to at any time by the Executive Council in such manner as may be prescribed.

Regulations

29. The authorities of the University may make Regulations consistent with this Act the Statutes and the Ordinances for the

conduct of their own business and that of the committees, if any, appointed by them not provided for by this Act, Statutes or the Ordinances, in such manner as may be prescribed.

CHAPTER—VII

Annual Report and Accounts

Annual Report

30. (1) The annual report of the University shall be prepared under the direction of the Executive Council which shall include, among other matters, the steps taken by the University towards the fulfillment of its objects.

(2) The annual report so prepared shall be submitted to the Chancellor on or before such date as may be prescribed.

(3) A copy of the annual report, prepared under sub-section (1) shall also be submitted to the State Government.

Account and Audit

31. (1) The annual accounts and the balance sheet of the University shall be prepared under the direction of the Executive Council and shall, once at least every year, and at intervals of not more than fifteen months, be audited by the Directors, Local Fund Accounts, Uttar Pradesh or by such person or persons as the State Government may authorize in this behalf.

(2) A copy of the annual accounts and the balance sheet together with the audit report thereon shall be submitted to the State Government alongwith the observations, if any, of the Executive Council before the thirtieth of Septembers every year.

(3) Any observations made by the State Government on the annual accounts shall be brought to the notice of the Executive Council and the views of the Executive Council, if any, on such observations shall be submitted to the State Government.

Surcharge

32. (1) An Officer specified in any of the clauses (b), (c), (d), (e), (f), (g) and (h) of section 9 shall be liable to surcharge for the loss waste of misapplication of any money or property of the University, if such loss waste or misapplication is a direct consequence of his neglect or misconduct.

(2) The procedure of surcharge and the manner of recovery of the amount involved in such loss, waste or misapplication shall be such as may be prescribed.

CHAPTER—VIII

conditions of Service of Employees

Conditions of Service of Employees

33. (1) Except as otherwise provided by or under this Act an employee including a teacher of the University may be appointed under a written contract and such contract shall not be inconsistent with the provisions of this Act, the Statutes and the Ordinances.

(2) The contract referred to in sub-section (1) shall be lodged with Finance Officer of the University and a copy of which shall be furnished to the employee concerned.

Tribunal of Arbitration

34. (1) Any dispute arising out of a contract of employment referred to in section 33 between the University and an employee or a teacher shall, at the request of either party, be referred to a Tribunal of Arbitration which shall consist of one member nominated by the Executive Council, one member nominated by the employee or teacher concerned and an umpire to be nominated by the Chancellor.

(2) Every such reference shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration and Conciliation Act, 1996.

Provident and Pension funds

35. (1) The University shall constitute for the benefit of the employees and teachers such provident or pension funds or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed.

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

CHAPTER—IX

Miscellaneous

Disputes as to the constitution of the authorities and bodies

36. If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

Filling of Casual vacancies

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

Proceeding of the University authorities or bodies not invalidated by vacancies

38. No act or proceeding of any authority or any other body of the University shall be invalidated merely by reason of the existence of any vacancy or vacancies among its members.

Protection of action taken in good faith

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

Staff of the University

40. (1) The University shall appoint such number of employees including academic staff as may be sanctioned by the State Government from time to time. The terms and conditions of service of the employees of the University shall be such as may be prescribed.

(2) The salaries and allowances payable to various categories of employees of the University shall be such as may be determined by the State Government from time to time.

CHAPTER—X

Miscellaneous and Transitory Provisions

Power to remove difficulties

41. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by a notified order, make such provisions, not inconsistent with the provisions of this Act as appears to it to be necessary or expedient for removing the difficulty.

(2) No order under sub-section (1) shall be made after the expiration of the period of two years from the commencement of this Act.

Transitional provisions

42. Notwithstanding anything contained in this Act and the Statutes :—

(a) The first Vice-Chancellor, the first Registrar and the first Controller of examination shall be appointed by the State Government and they shall be governed by the terms and conditions of service specified by the Statutes :

Provided that the first Vice-Chancellor shall be eligible for appointment in the manner specified in the Statutes for another term ;

(b) The first Executive Council shall consist of not more than ten members who shall be nominated by the Chancellor and they shall hold the office for a term of two years ; and

(c) (i) The first Planning Board shall consist of not more than ten members who shall be nominated by the Chancellor and they shall hold the office for a term of two years ;

(ii) The Planning Board shall in addition to the powers and functions conferred on it by this Act, exercise the powers of the Academic Council, until the Academic Council is constituted under the provisions of this Act and the Statutes, and in the exercise of such powers, the Planning Board may co-opt such members as it may decide.

Statutes, Ordinances and Regulations to be published in the Gazette U. P. Act no. 1 of 1904

43. (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the *Gazette*.

(2) First Statutes, Ordinances or Regulations made under this Act, shall, as soon as may be after it is made, be laid before U. P. Act No. 1 of 1904 both Houses of the State Legislature and the provisions of sub-section (1) of section 23-A of the Uttar Pradesh General Clauses

Act, 1904 shall apply as they apply in respect of rules made by the State Government under any Uttar Pradesh Act.

**Repeal and
saving
U. P.
Ordinance
no. 18 of
1998**

44. (1) The Uttar Pradesh Rajarshi Tandon Open University Ordinance, 1998 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the Ordinance referred to in sub-section (1) shall be deemed have been done or taken under this Act as if the provisions of this Act were in, force at all material times.

THE SCHEDULE

(See Section 4)

THE OBJECTS OF THE UNIVERSITY

1. The University shall endeavor through education, research, training and extension to play a positive role in the development of the State, and, based on the rich heritage of the State to promote and advance the culture of the people of India and its human resources and towards this, end, it shall :-

(a) strengthen and diversify the degree, diploma and certificate course related to the needs of employment and necessary for building the economy of the country on the basis of its natural and human resources ;

(b) provide access to higher education for large segments of the population, and in particular, the disadvantaged groups such as those living in remote and rural areas including working people, housewives and other adults who wish to upgrade or acquire knowledge through studies in various fields ;

(c) promote acquisition of knowledge in a rapidly developing and changing society and to continually offer opportunity for upgrading knowledge, training and skills in the context or innovations, research and discovery in all fields of human endeavors ;

(d) provide an innovative system of University level education, flexible and open, in regard to methods and pace of learning combination of courses, eligibility for enrolment age of entry, conduct of examination and operation of the programmes with a view to promote learning and encourage excellence in new fields of knowledge ;

(e) contribute to the improvement of the educational system by providing a non-formal channel complementary to the formal system and encouraging transfer of credits and exchange of teaching staff by making wide use of texts and other software developed by the University ;

(f) provide education and training in the various arts, crafts and skills of the country, raising their quality and improving their availability to the people ;

(g) provide or arranged training of teachers required for such activities or institutions ;

(h) provide suitable Post-graduate courses of study and promote research ;

(i) provide the counseling and guidance to its students ; and

(j) promote national integration and the integrated development of the human personality through its policies and programmes.

2. The University shall strive to fulfill the above objects by a diversity of means of distance and continuing, education, and shall function in co-operation with the existing Universities and Institutions of higher learning and make full use of the latest scientific knowledge and new educational technology to offer a high quality of education which matches contemporary needs.

STATEMENT OF OBJECTS AND REASONS

Although numerous degree colleges and Universities are imparting higher education, yet a large number of students every year are deprived of institutional higher education, in the State. The reason is that the number of students desiring institutional higher education is larger than the capacity of the various institutions. The students deprived of getting institutional higher education though get facilities to fill in examination forms and appear at examinations as private candidates but they do not get any other cooperation from the said institutions. In order, therefore, to provide all the students desirous of institutional higher education with the facility of getting institutional higher education it was decided to establish an Open University by the name of the Uttar Pradesh Rajarshi Tandon Open University in the State on the pattern of the Indira Gandhi National Open University of the Central Government.

Since the State Legislature was not in session and immediate legislative action to implement the aforesaid decision was necessary the Uttar Pradesh Rajarshi Tandon Open University Ordinance, 1998 (U.P. Ordinance No. 18 of 1998) was promulgated by the Governor on November 2, 1998.

This Bill is introduced accordingly to replace the aforesaid Ordinance.
