

THE UTTAR PRADESH UNIVERSITIES (RE-ENACTMENT AND
AMENDMENT) ACT, 1974

(U. P. ACT NO. 29 OF 1974)

(As passed by the Uttar Pradesh Legislature, and assented to
by the Governor on September 22, 1974 and Published in the U.P.
Gazette extra-ordinary dated September 25, 1974)

AN

ACT

*to repeal the Uttar Pradesh State Universities Act, 1973 and
to re-enact the same with certain modifications and to further
amend the Uttar Pradesh Agricultural University Act, 1958.*

IT IS HEREBY enacted in the Twenty-fifth Year of the Republic of
India as follows:-

CHAPTER-I

Preliminary

Short title 1. This Act may be called the Uttar Pradesh Universities
(Re-enactment and Amendment), Act, 1974.

CHAPTER-II

Amendment Of The Uttar Pradesh State Universities Act, 1973

**Repeal and re-
enactment
with
modifications
of President's
Act no. 10 of
1973** 2. The Uttar Pradesh State Universities Act, 1973, (hereinafter
in this chapter referred to as the principal Act) is hereby repealed and
re-enacted with the modifications set out in sections 3 to 18.

**Amendment of
title and
preamble** 3. In the title of the principal Act, the words "Enacted by the
President the Twenty-fourth Year of the Republic of India" shall be
omitted, and for the existing preamble, the words "It is hereby enacted
as follows shall be substituted.

**Amendment of
section 1** 4. In section 1 of the principal Act, in sub-section (4),
clause (b) shall be omitted.

**Amendment of
section 2** 5. In section 2 of the principal Act-

(i) in clause (4), for the words "this Act", the words "this
Act and the Statutes of the University" shall be substituted;

(ii) in clause (18), for the words "by the University or by
a constituent, affiliated or associated college for imparting
instruction or guiding or conducting research", the words
"for imparting instruction or guiding or conducting research
in the University or in an Institute or in a constituent,
affiliated or associated college" shall be substituted.

**Amendment of
section 4** 6. In section 4 of the principal Act, after sub-section (1), the
following sub-sections shall be *inserted*, namely:-

"(1-A) With effect from such date or dates as the State
Government may by notification in the Gazette appoint in this
behalf, there shall be established-

(a) a University of Bundelkhand at Jhansi;

(b) a University of Avadh at Faizabad and

(c) a University of Rohilkhand at Bareilly;

for the areas respectively specified in the Schedule.

(1-B) In relation to the Universities to be established under sub-section (1-A)-

(a) the State Government shall appoint interim officers of the Universities (other than the Chancellor) and shall constitute interim authorities of such Universities in such manner as it thinks fit:

(b) the officers appointed and members of the authorities constituted under clause (a) shall hold office for a term of two years from the date of such appointment or constitution, as the case may be;

(c) the State Government shall take steps for the appointment of officers and constitution of authorities of such Universities in accordance with the provisions of this Act, so that the same may be completed before the expiry of the respective terms of the interim officers and members under clause (b).

Amendment of section 13

7. In section 13 of the principal Act, in sub-section (4), for the words and figures "under section 10". the words and figures "under sections 10 and 68" shall be substituted.

Amendment of section 17

8. In section 17 of the principal Act, in sub-section (2), for the words "the posts of Registrars. Deputy Registrars and Assistant Registrars", the words the administrative posts of Registrars. Deputy Registrars and Assistant Registrars" shall be *substituted*.

Amendment of section 20

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

"(2) The terms of office of members mentioned in clauses (c), (d), and (e) of sub-section (1) shall be one year and of members mentioned in clauses (f) and (g) thereof shall be three years."

Amendment of section 22

10. In section 22 of the principal Act, in sub-section (1), class VI, clause (xiii) shall be omitted.

Amendment of section 27

11. In section 27 of the principal Act-

(a) in sub-section (4), for the first proviso, the following proviso thereto shall be substituted, namely:-

"Provided that in the case of a Medical, Engineering, Ayurvedic or Fine Arts College, the Principal of such college shall be the ex officio Dean of Medical, Engineering, Ayurvedic or Fine Arts Faculty, as the case may be".

(b) for sub-section (6), the following sub-section shall be substituted, namely:-

"(6) in each Department of teaching in the University, there shall be a Head of the Department whose appointment shall be regulated by Statutes:

Provided that every person holding the office of Head of Department immediately before the date of commencement of this sub-section shall, subject to the provisions of this Act and the Statutes, continue to hold office on the same terms and conditions as he held immediately before the said date.

**Amendment
of section 31**

12. In section 31 of the principal Act

(i) in sub-section (4), in clause (d). before the existing proviso the following proviso shall be inserted and be deemed always to have been inserted, namely:-

"Provided that in the case of a college where there is no principal or other teacher available for being a member of the Selection Committee under sub-clause (ii), the remaining members referred to in this clause shall constitute such Selection Committee":-

(ii) in sub-section (5), after clause (c) the following clause shall be inserted, namely:-

"(d) The Chancellor or the Vice-Chancellor, as the case may be, may intimate in a specified order, a larger number of names of experts than required under sub-section (4) for serving as his nominees on the Selection Committee. In such case, on any person whose name appears higher in the specified order not being available for a meeting of the Selection Committee, a person whose name appears nearest lower in the specified order shall be requested to serve on the Committee."

(iii) after sub-section (7), the following sub-section shall be inserted and be deemed always to have been inserted, namely:-

"(7-A) It shall be open to the Selection Committee to recommend one or more but not more than three names for each post."

(iv) in sub-section (11).-

(a) for the words "colleges established and administered by a minority referred to in clause (1) of Article 30 of the Constitution of India", the words "affiliated or associated colleges (other than those maintained exclusively by the State Government or by a local authority)" shall be substituted:

(b) in clause (ii) for the words "the Act and the Statutes", the words "this Act" shall be substituted and be deemed always to have been substituted.

**Amendment
of section 34**

13. In section 34 of the principal Act, in sub-section (1), the words "and the holding of the remunerative offices by them" shall be omitted.

**Amendment
of section 49**

14. In section 49 of the principal Act. in clause (o), for the words. "Including the rules of conduct to be observed by them", the words "including the maintenance by them of their annual academic progress report and the rules of conduct to be observed by them" shall be substituted.

**Amendment
of section 50**

15. In section 50 of the principal Act-

(i) after sub-section (1), the following sub-section shall be inserted, namely:-

"(1-A) The State Government may by notification in the Gazette amend whether by way of addition, substitution or omission, the First Statutes at any time within a period of one year from the date of commencement of such Statutes, and any such amendment may be retrospective to a date not earlier than the date of such commencement."

(ii) for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) The Executive Council may, at any time after the expiration of a period of one year from the date of commencement of the First Statutes, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1) or sub-section (1.A)."

**Insertion of
new section
72-A**

16. After section 72 of the principal Act, the following section shall be inserted, namely:-

"72-A. Notwithstanding anything contained in this Act-

**Transitory
provisions
regarding
Kashi
Vidyapeeth**

(a) every person holding office as an officer (other than the Chancellor) of the Kashi Vidyapeeth on the date immediately before its establishment as a University shall continue to hold office as such on the same terms and conditions except as respects tenure as he held on the said date until fresh appointments are made under clause (b);

(b) as soon as may be after the commencement of this section, the State Government may appoint interim officers of the said University (other than the Chancellor) and shall constitute interim authorities of the said University in such manner as it thinks fit, upon which the corresponding officers referred to in clause (a) shall cease to hold office and the corresponding authorities, shall stand dissolved forthwith:

(c) the officers appointed and the members of the authorities constituted under clause (b) shall hold office for a term of two years from the date of such appointment or constitution, as the case may be;

(d) the State Government shall take steps for the appointment of officers and constitution of authorities of the said University in accordance with the provisions of this Act, so that the same may be completed before the expiry of the respective terms of the interim officers and members under clause (c)."

**Amendment
of section 74.**

17. In section 74 of the principal Act, in sub-section (3)-

(i) clause (a) shall be omitted;

(ii) after clause (f). the following clauses shall be *inserted* and be deemed always to have been inserted, namely:-

"(g) every student of the Kashi Naresh Government Degree College, Gyanpur, or the Government Degree College, Jakhni, situate in district Varanasi, or the Government Degree College, Rishikesh, situate in district Dehra Dun, who-

(1) immediately before the commencement of Uttar Pradesh State Universities Ordinance, 1973, was studying for a degree of the University of Agra; or

(2) was admitted as a student of any of the said colleges during the academic year 1973-74 for a degree of the said University; or

(3) is eligible to appear at any degree examination of the said University in the year 1974 or in the year 1975 as an ex-student;

shall be permitted to complete his course in accordance with the syllabus of the University of Agra, and necessary arrangements for the instruction and examination of such students shall be made by the University of Agra and on the results of such examination, the degree may be conferred by that very University;

(h) until the Faculties are constituted in the Universities referred to in sub-section (1) or sub-section (1-A) or section 4, the Selection Committee referred to in clause (c) of sub-section (4) of section 31 shall consist of the following members, namely-

(1) the Head of the Management or a member of the Management nominated by him, who shall be the Chairman;

(2) one member of the Management nominated by the Management; and

(3) three experts to be nominated by the Vice-Chancellor."

**Amendment
of the
Schedule**

18. In the Schedule to the principal Act, for the entries at serial numbers 3, 4, 5, 6, 7, and 8, the following entries shall respectively be substituted, namely:

"3. The University of Agra-

(1) until the establishment of the University of Rohilkhand. Districts of Agra, Aligarh, Bareilly, Bijnor, Badaun, Etah, Mainpuri, Mathura, Moradabad, Pilibhit, Rampur and Shahjahanpur.

(ii) upon the establishment of the University of Rohilkhand. Districts of Agra, Aligarh, Etah, Mainpuri and Mathura.

4. The University of Gorakhpur-

(i) until the establishment of the University of Avadh. Districts of Azamgarh, Bahraich, Ballia, Basti, Deoria, Faizabad, Ghazipur. Gonda, Gorakhpur, Jaunpur, Mirza pur, Pratapgarh Sultanpur and Varanasi.

(ii) upon the establishment of the University of Avadh.	Districts of Azamgarh, Ballia, Basti, Deoria, Ghazipur, Gorakhpur, Jaun pur, Mirzapur and Varanasi.
5. The University of Kanpur-	
(i) until the establishment of the Universities of Bundelkhand and Avadh.	Districts of Allahabad, Banda, Bara Banki, Etawah, Farrukhabad, Fateh- pur, Hamirpur, Hardoi, Jalaun, Jhansi, Kanpur, Lakhimpur-Kheri, Lalitpur, Lucknow, Rae Bareli, Sitapur, and Unnao excepting the area which lies within the limits of the Universities of Allahabad and Lucknow.
(ii) upon the establishment of the Universities of Bundelkhand and Avadh,	Districts of Allahabad, Etawah, Fateh pur, Farrukhabad. Hardoi, Kanpur, Lakhimpur Kheri, Lucknow, Rae Bareli, Sitapur and Unnao excepting the area which lies within the limits of the Universities of Allahabad and Lucknow.
6. The University of Meerut.	Districts of Bulandshahr. Meerut Muzaffarnagar and Saharanpur.
7. The University of Kumaun.	Districts of Almora, Naini Tal and Pithoragarh.
8. The University of Garhwal.	Districts of Chamoli, Dehra Dun, Garhwal, Tehri Garhwal and Uttar Kashi.
9. The University of Bundelkhand.	Districts of Banda, Hamirpur, Jalaun, Jhansi and Lalitpur.
10. The University of Avadh.	Districts of Bahraich, Bara Banki, Faizabad, Gonda, Pratapgarh and Sultanpur.
11. The University of Rohilkhand.	Districts of Budaun. Bareilly, Bijnor, Moradabad, Pilibhit, Rampur and Shahjahanpur."

CHAPTER III

Amendment Of Uttar Pradesh Agricultural University Act, 1958

Amendment of long title and Preamble of U. P. Act) Act no. 45 of 1958

19. In the long title and the preamble of the Uttar Pradesh Agricultural University Act, 1958 (hereinafter in this Chapter referred to as the principal for the words "an Agricultural University", the words "Agricultural Universities" shall be substituted.

Amendment of section 1

20. In section 1 of the principal Act, in sub-section (1) for the words "Uttar Pradesh Agricultural University Act," words "Uttar Pradesh Krishi Evam Prodyogik Vishwavidyalaya Adhiniyam" shall be substituted.

**Amendment
of section 2**

21. In section 2 of the principal Act, for clause (1), the following clause shall be substituted namely :-

"(1) 'University' means the Gobind Ballabh Pant Krishi Evam Prodyogik Vishwavidyalaya or the Narendra Deva Krishi Evam Prodyogik Vishwavidyalaya, as the case may be."

**Insertion of
new section
2-A**

22. After section 2 of the Principal Act, the following section shall be inserted, namely :-

**Establishment
of Universities
at Faizabad
and Kanpur**

"2-A. (1) Besides the Gobind Ballabh Pant Krishi Evam Prodyogik Vishwavidyalaya in existence at Pantnagar, immediately before the commencement of this section, there shall be established, with effect from such date as the State Government may, by notification in the Gazette appoint in that behalf (hereinafter referred to as the appointed day)-

(i) a University at Faizabad to be know as the Narendra Deva Krishi Evam Prodyogik Vishwavidyalaya; and

(ii) a University at Kanpur to be know as Chandrashekhar Azad Krishi Evam Prodyogik Vishwavidyalaya.

(2) In relation to the Universities to be established under sub-section (1)-

(a) the State Government shall appoint interim officers of the Universities (other than the Chancellor) and shall constitute interim authorities of such Universities, in such manner as it thinks fit;

(b) the officers appointed and members of the authorities constituted under clause (a) shall hold office for a term of two years from the date of such cappointment or constitution, as the case may be;

(c) the State Government shall take steps for the appointment of officers and constitution of authorities of such Universities, in accordance with the provisions of this Act, so that the same may be completed before the expiry of the respective terms of the interim officers and members under clause (b)."

**Amendment
of section 3**

23. In section 3 of the Principal Act, for sub-section (1), the following sub-section shall be substituted, namely :-

"(1) The Chancellor, the Vice-Chancellor and the Members of the Board and the Academic Council for the time being holding office as such in each University shall constitute a boby corporate by the name of that University."

**Insertion of
new section
6-A**

24. After section 6 of the Principal Act, the following section shall be inserted, namely :-

**Territorial
Jurisdiction
for Certain
purposes**

"6-A. The powers of the University under section 6 shall with respect to the Extension, Training and Reserch be exercisable in respect of the area for the time being specified against it in the Schedule."

Omission of section 35

25. Section 35 of the principal Act shall be omitted.

Insertion of the Schedule

26. After section 36 of the Principal Act, the following Schedule shall be inserted, namely :-

Area within which the University shall exercise jurisdiction for purposes of extension, training and research.	Serial no.	Name of the University
The whole of Uttar Pradesh.	1-	Gobind Ballabh Pant Krishi Evam Prodyogik Vishwavidyalaya- (a) until the establishment of the Narendra Deva Krishi Evam Prodyogik Vishwavidyalaya and Chandrashekher Azad Krishi Evam Prodyogik Vishwavidyalaya.
Kunaun, Garhwal, Rohilkhand and Meerut Divisions.		(b) upon the establishment of the Narendra Deva Krishi Evam Prodyogik Vishwa vidyalaya and Chandra- shekhar Azad Krishi Evam Prodyogik Vishwavidyalaya.
Faizabad, Gorakhpur and Varanasi Divisions.	2-	Narendra Deva Krishi Evam Prodyogik Vishwavidyalaya.
Lucknow, Jhansi, Agra and Allahabad Divisions."	3-	Chandrashekhar Azad Krishi Evam Prodyogik vidyalaya. Vishwa-vidyalaya.

General Amendment

27. In the principal Act, for the words "The Chancellor", "the Vice- Chancellor" and "the Registrar", wherever occurring, the words "Kuladhipati (Chancellor)," "Kulpati (Vice-Chancellor)" and "Kul Sachiv (Registrar)" shall respectively be substituted.

CHAPTER IV

Transitory Provisions

Removal of Difficulties

28. (1) The State Government may, for the purpose of removing any difficulty, particularly in relation to the establishment and functioning of the Universities of Bundelkhand, Avadli, Rohilkhand or Narendra Deva Krishi Evam Prodyogik Vishwavidyalaya or Chandrashekher Azad Krishi Evam Prodyogik Vishwavidyalaya by order published in the Official Gazette direct that the provisions of the enactments referred to in Chapters II and III shall, during such period as may be specified in the order, have effect subject to such adaptation whether by way of modification, addition or omission as it may deem to be necessary or expedient:

Provided that no such order shall be made after two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid before both Houses of the State Legislature.

(3) No order under sub-section (1) shall be called in question in any court on the ground that no difficulty as is referred to in sub-section (1) existed or required to be removed.

STATEMENT OF OBJECTS AND REASONS

The State Government was decided to have at least one University in each division. It is accordingly proposed to establish a University each for Rohilkhand, Faizabad and Bundelkhand Divisions,

2. The Uttar Pradesh State Universities Act, 1973, being a President's Act, has a limited life, and it has to be replaced by an Act of the State Legislature. The said Act is, therefore, proposed to be repealed and re-enacted with necessary modifications.

3. The U P. Agriculturai University Act, 1958, is also proposed to be amended to provide for the establishment of one more Agricultural University at Faizabad and Kanpur each.

4. Opportunity is also being availed for making certain minor amendments in the said Acts.

5. The Uttar Pradesh Universities (Re-enactment and Amendment) Bill, 1974, is being introduced accordingly.
