



सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिशिष्ट

भाग-1, खण्ड (क)

(उत्तर प्रदेश अधिनियम)

लखनऊ, शनिवार, 6 अक्टूबर, 2001

आश्विन 14, 1923 शक सम्बत

उत्तर प्रदेश सरकार

विधायी अनुभाग-1

संख्या 2465/सत्रह-वि-1-1(क)-42-2001

लखनऊ, 6 अक्टूबर, 2001

UNIVERSITY ACT (ENGLISH)

In pursuance of the provision of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Pandit Deen Dayal Upadhyaya Pashu Chikitsa Vigyan Vishwavidyalaya Evam Go-Anusandhan Sansthan Adhinyam, 2001 (Uttar Pradesh Adhinyam Sankhya 27 of 2001) as passed by the Uttar Pradesh Legislature and assented to by the Governor on October 5, 2001.

**THE UTTAR PRADESH PANDIT DEEN DAYAL UPADHYAYA PASHU CHIKTSA VIGYAN  
VISHWAVIDYALAYA EVAM GO-ANUSANDHAN SANSTHAN ADHINIYAM, 2001**

(U.P. Act No. 27 of 2001)

[As Passed by the Uttar Pradesh Legislature]

AN

ACT

*to Provide for the establishment of a Pandit Deen Dayal Upadhyaya Pashu Chikitsa Vigyan Vishwavidyalaya Evam Go-Anusandhan Sansthan in Uttar Pradesh for the advancement and development of education pertaining to Veterinary and Animal Sciences and for matters connected therewith or incidental thereto.*

IT IS HEREBY enacted in the Fifty- Second Year of the Republic of India as Follows:-

CHAPTER-I

PRELIMINARY

1. (1) This Act may be called the Uttar Pradesh Pandit Deen Dayal Upadhyaya and Pashu Chikitsa Vigyan Vishwavidyalaya Evam Go-Anusandhan Sansthan Adhinyam, 2001. Short title and Commencement
- (2) It shall come into force on such date as the State Government may, by notification, appoint in this behalf.
2. In this Adhinyam, -- Definitions
- (a) "Academic Council" and " Executive Council " means respectively the Academic Council and Executive Council of the University;
- (b) "affiliated college" means a college or institution affiliated to the University in accordance with the provisions of this Adhinyam and the statutes.
- (c) "other backward classes of citizens" means the other backward classes of citizens specified in Schedule I to the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and other Backward Classes) Act, 1994.
- (d) "Constituent College" means a college or institution maintained by the University or by the State Government and named as such by this Adhinyam or the Statutes;
- (e) "Faculty" means a faculty of the University;
- (f) "Management", in relation to an affiliated college, means the managing committee or other body charged with managing the affairs of the college and recognized as such by the University:
- Provided that in relation to any such college maintained by Municipality, the expression "management" means the education committee of such Municipality and the expression "Head of the Management" means the Chairman of such Committee:
- (g) "municipality" means a municipality constituted under the Uttar Pradesh Municipality Act, 1916 or The Uttar Pradesh Municipal Corporation Act 1959, as the case may be;
- (h) "prescribed " means prescribed by the statutes;
- (i) "Statutes" means Statutes of the University;

- (j) "teacher" means a person employed for imparting instruction or guiding or conducting research in the University or an affiliated or constituent college and includes principal or director thereof;
- (k) "University" Means the Uttar Pradesh Pandit Deen Dayal Upadhyaya Pashu Chikitsa Vigyan Vishwavidyalaya Evam Go- Anusandhan Sansthan established under this Adhinyam.

## CHAPTER-II

### THE UNIVERSITY

Establishment and incorporation of the University

3. (1) With effect from such date as such the State Government may, by notification, appoint in this behalf, hereinafter referred to as the appointed date, there shall be established at Mathura a University by the name of the Uttar Pradesh Pandit Deen Dayal Upadhyaya Pashu Chikitsa Vigyan Vishwavidyalaya Evam Go-Anusandhan Sansthan.

(2) The University shall be a body corporate.

Establishment of new college and recognition of institution by the University

4. (1) On and from the appointed date, no new college or institution for imparting instruction in veterinary and animal sciences, shall be established except as an affiliated college.

(2) Subject to the provisions of section 26, no college or institution affiliated to or associated with or maintained by any other University immediately before the commencement of this Adhinyam shall be affiliated to the University.

Territorial exercise of powers

5. The University shall, in the exercise of its powers under this Adhinyam, have jurisdiction over the whole of Uttar Pradesh.

Powers and duties of the University

6. The University shall have the following powers and duties namely :-

(a) to provide, upgrade and advance education in such branches of Veterinary and Animal Sciences, as the University may determine;

(b) to conduct research in the said sciences;

(c) to undertake the development of such sciences and the extension thereof to rural people in co-operation with the State Government;

(d) to admit any college to the privileges of affiliation or to enlarge the privileges of any college already affiliated as the case may be or to withdraw or curtail any such privilege and to guide and control the work of such colleges;

(e) to institute and confer degrees or other academic distinctions;

(f) to hold examinations for, and to grant and confer degrees or other academic distinctions to, and on, persons, who-

(i) have pursued a course of study in the University or in an affiliated or constituent college; or

(ii) have carried on research in the University or in an affiliated or constituent college recognized in this behalf by the University, under conditions laid down in the statutes;

(g) to confer a honorary degree or other academic distinctions in such manner and under such conditions as may be prescribed;

(h) to institute and award fellowships, scholarships, studentship, exhibitions and prizes in accordance with the statutes;

(i) to demand and receive such fees and other charges as may be fixed by the statutes;

(j) to make provisions for –

(i) the maintenance of National Cadet Corps or other similar organizations;

(ii) physical and military training and

(iii) sports and athletics clubs;

(k) to make appointments of officers and other employees of the University to the posts created by the State Government;

(l) to receive gifts, grants, donations or benefactions from the State Government or the Central Government and to receive bequest, donations and transfers of movable or immovable property from testators, donors or transfers, as the case may be and to hold manage the same;

(m) to lay down the conditions of affiliation of colleges or institutions and to satisfy itself by periodical inspection that such conditions are satisfied;

(n) to co-operate and collaborate with other Universities and authorities in such manner and for such purposes as the University may determine from time to time;

(o) to do all such other acts or things, whether incidental to the powers aforesaid or not as may be necessary to further the objects of the University.

University open to all classes and creed

7.(1) The University shall be open to all persons irrespective of class or creed.

(2) Nothing contained in sub-section (1) shall require the University-

(a) to admit to any course of study any person who does not possess the prescribed academic qualification or standard;

(b) to retain on the rolls of the University any student whose academic record is below the minimum standard required for the award of degree, diploma or other academic distinctions;

(c) to admit any person, or retain any student, whose conduct is prejudicial to the interest of the University or the rights and privileges of the students and the employee of the University;

(d) to admit to any course of study a larger number of students that may be determined by the statutes.

### CHAPTER-III

#### INSPECTION AND INQUIRY

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 affiliated or constituent college maintained by the University including its buildings, libraries, laboratories, workshops and equipments and also of the examinations, teaching and other work conducted or done by the University or such college 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.

(2) Where the state Government decides to cause an inspection or 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 act on 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 section 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 Panel 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 times as the State Government may fix, submit to it 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 it may think fit, and the authorities of the University shall comply with such 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 or 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, and *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 Adhiniyam.

(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

9. The following shall be officers of the University. Officers of the University
- (a) the Chancellor;
  - (b) the Vice-Chancellor;
  - (c) the Pro- Vice-Chancellor;
  - (d) the Registrar;
  - (e) the Finance Officer;
  - (f) the Controller of Examinations;
  - (g) the Deans of Faculties;
  - (h) such other persons in the service of the University as may be declared by the Statutes to be the officers of the University.
10. (1) The Governor shall be the Chancellor of the University. The Chancellor
- (2) The Chancellor shall, by virtue of his office, be the Head of the University and shall when present, preside at any convocation of the University.
- (3) Every proposal for the conferment of an honorary degree shall be subject to be confirmation of the Chancellor.
- (4) The Chancellor shall exercise such other powers and perform such other functions as may be conferred on him by or under this Adhiniyam.
11. (1) The Vice-Chancellor shall be a whole time salaried officer of the University and shall be appointed by the Chancellor from amongst distinguished persons in the field of Veterinary and Animal Sciences whose names are submitted to him by the committee constituted in accordance with the provisions of sub-section(2). The Vice-Chancellor
- (2) The committee referred to in sub-section (1) shall consist of the following members, namely:-
- (a) Principal Secretary or Secretary, as the case may be, to the State Government in the Animal Husbandry Department, who shall also be the convener of the Committee;
  - (b) One person who is or has been a judge of the High Court nominated by the Chief justice of the High Court;
  - (c) One person nominated by the Chancellor.
- (3) The Vice-Chancellor shall hold office for a term of three years from the date on which he enters upon his office and shall be eligible for reappointment.
- (4) The emoluments and other conditions of service of the Vice-Chancellor shall be such as may be prescribed:

Provided that the terms and conditions of services of the Vice-Chancellor shall not be varied to his disadvantage during the term of his office.

(5) Where the Vice-Chancellor is unable to discharge his duties owing to absence, illness or any other cause the Pro-Vice-Chancellor shall discharge the duties of the Vice-Chancellor until the Vice-Chancellor resumes his duties.

(6) If in the opinion of the Chancellor, the Vice-Chancellor willfully omits, refuses to carry out the provisions of this Adhinyam or abuses the powers vested him, or if in otherwise appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interest of the University, the Chancellor may, after making such inquiry as he deems proper, by order, remove the Vice-Chancellor.

(7) During the pendency or in contemplation, of any inquiry referred to in sub section (6) the Chancellor may order that till further orders-

(a) such Vice-Chancellor shall refrain from performing the functions of the office of Vice-Chancellor, but shall continue to get the emoluments which he was otherwise entitled;

(b) the functions of the office of the Vice-Chancellor shall be performed by the person specified in the order.

12.(1) The Vice-Chancellor shall be principal executive and academic officer of the University and shall-

Powers and duties of the Vice-Chancellor

(a) exercise general supervision and control over the affairs of the University, affiliated and constituted colleges;

(b) give effect to the decisions of the authorities of the University;

(c) in the absence of the Chancellor, preside at any convocation of the University;

(d) be responsible for the maintenance of discipline in the University;

(e) be responsible for holding and conducting the University examinations properly and at due times and for ensuring that the results of such examinations are published expeditiously and that the academic session of the University starts and ends on due dates.

(2) The Vice-Chancellor shall be an *ex-officio* member and Chairman of the Executive Council, Academic Council and the Finance Committee.

(3) The Vice-Chancellor shall have the right to speak in and otherwise to take part in the meeting of any other authority or body of the University but shall not by virtue of this sub-section be entitled to vote.

(4) It shall be the duty of the Vice-Chancellor to ensure the faithful observance of the provisions of this Adhinyam and Statutes and he shall, without prejudice to the powers of the Chancellor possess all such powers as may be necessary in that behalf.

(5) The Vice-Chancellor shall have the power to convene or cause to be convened meetings of the Executive Council, the Academic Council and the Finance Committee.

Provided that he may delegate this power to any other officer of the University

(6) Where any matter is of urgent nature requiring immediate action and the same could not be immediately dealt with by any officer or the authority or other body of the University empowered by or under this Adhinyam to deal with it, the Vice-Chancellor may take such action as he may deem fit and shall forthwith report the action taken by him to the Chancellor and also to the officer, authority, or other body who or which in the ordinary course would have dealt with that matter:

Provided that no such action shall be taken by the Vice-Chancellor without the previous approval of the Chancellor, if it would involve a deviation from the provisions of the Statutes;

Provided further that if the officer, authority or other body is of opinion that such action ought not to have been taken it may refer the matter to the Chancellor who may either confirm the action taken by the Vice-Chancellor or annul the same or modify it in such manner, as he thinks fit and thereupon, it shall cease to have effect or, as the case may be, take effect in the modified form, so however, that such annulment or

modification shall be without prejudice to the validity of anything previously done by or under the order of the Vice-Chancellor:

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

(7) Nothing in sub-section (6) shall be deemed to empower the Vice-Chancellor to incur any expenditure not duly authorized and provided for in the budget.

(8) The Vice-Chancellor shall exercise such other powers as may be laid down by the Statutes.

13.(1) The Vice-Chancellor may, with the approval of the Executive Council appoint a Pro-Vice-Chancellor from amongst the professors of the University.

The Pro-Vice-Chancellor

(2) The Pro-Vice-Chancellor shall hold office at the pleasure of the Vice-Chancellor.

(3) The Pro-Vice-Chancellor shall be entitled to such honorarium as may be determined by the State Government from time to time.

(4) The Pro-Vice-Chancellor shall assist the Vice-Chancellor in respect of such matters, as may be specified by the Vice-Chancellor in this behalf from time to time and shall preside over the meetings of the University in the absence of the Vice-Chancellor and shall exercise such powers and perform such duties as may be assigned or delegated to him by the Vice-Chancellor.

14.(1) The Registrar shall be a whole-time officer of the University.

The Registrar

(2) The Registrar shall be appointed by the State Government on such terms and conditions as may be prescribed.

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

(4) The Registrar shall be responsible for the due custody of the records and the common seal of the University. He shall be *ex-officio* secretary of the Executive Council and shall be bound to place before the Executive Council all such information as may be necessary for transaction of its business. He shall also perform such other duties as may be prescribed or required from time to time, by the Executive Council or the Vice-Chancellor but he shall not, by virtue of this sub-section, be entitled to vote.

(5) The Registrar shall not be offered nor shall he accept any remuneration for any work in the University saves such as may be provided by the Statutes.

15.(1) The Controller of Examinations shall be a whole-time officer of the University.

The Controller of Examinations

(2) The Controller of Examinations shall be appointed by the State Government by notification and his remuneration and allowances shall be paid by the University.

(3) The Controller of Examinations shall be responsible for the due custody of the records pertaining to his work. He shall be *ex-officio* secretary of the Examination Committee of the University and shall be bound to place before such Committee all such information as may be necessary for transaction of its business. He shall also perform such other duties as may be prescribed by the Statutes or required from time to time, by the Executive Council or the Vice-Chancellor but he shall not, by virtue of this sub-section, be entitled to vote. He may require from any office of the University, the production of such return or the furnishing of such information as may be necessary for the discharge of his duties.

(4) Subject to the superintendence of the Vice-Chancellor, the Controller of Examinations shall have administrative control over the employees working under him and have, in this regard, all the powers of the Registrar.

(5) Subject to the superintendence of the Examinations Committee, the Controller of Examination shall conduct the examination and make all other arrangements there for and be responsible for the due execution of all processes connected therewith.

(6) The Controller of Examination shall not be offered nor shall he except any remuneration for any work in the University, except in accordance with the order of the State Government.

(7) Where the Controller of Examination is, for any reason, unable to act or the office of the Controller of Examination is vacant, all the duties of his office shall be performed by such person as may be appointed by the Vice-Chancellor, until the Controller of Examination resumes his duties or, as the case may be, the vacancy is filled.

16. (1) There shall be a Finance Officer for the University who shall be a whole-time officer of the University and shall be appointed by the State Government, and his remuneration and allowance shall be paid by the University.

The Finance Officer

(2) The Finance Officer shall be responsible for presenting the budget (annual estimates) and the statement of the accounts to the Executive Council and also for drawing and disbursing funds on behalf of the University.

(3) The Finance Officer shall have the right to speak in and otherwise to take part in the proceedings of the Executive Council but shall not be entitled to vote.

(4) The Finance Officer shall have the duty-

(a) to ensure that no expenditure, not authorized in the budget, is incurred by the University otherwise than by way of investment;

(b) to disallow any proposed expenditure which may contravene the provisions of this Adhinyam or the terms of any Statutes;

(c) to ensure that no other financial irregularity is committed and to take steps to set right any irregularities pointed out during audit;

(d) to ensure that the property and investments of the University are duly preserved and managed.

(5) The Finance Officer shall have access to and may require the production of such records and documents of the University and the furnishing of such information pertaining to its affairs as in his opinion may be necessary for the discharge of his duties.

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

(7) Other powers and functions of the Finance Officer shall be such as may be prescribed.

17.(1) Except as otherwise provided in this Adhinyam, the mode of appointment, terms and condition of service and the powers and duties of the officers of the University other than the Chancellor, the Vice-Chancellor, the Finance Officer and Registrar shall be such as may be prescribed.

Powers, duties, terms and conditions of service of other officers

## CHAPTER-V

### AUTHORITIES OF THE UNIVERSITY

18. The following shall be the Authorities of the University, namely :-

Authorities of the University

(a) the Executive Council;

(b) the Academic Council;

(c) the Finance Committee;

(d) the Examination Committee; and

(e) such other authorities as may be declared by the Statutes to be the authorities of the University.

19. (1) The Executive Council shall consist of :-

Constitution of the Executive Council

(a) The Vice-Chancellor, who shall be the Chairman thereof;

(b) The Pro-Vice Chancellor, if any;

(c) Secretary to the State Government in the Higher Education Department;

(d) Secretary to the State Government in the Animal Husbandry and

Fisheries Department;

(e) Secretary to the State Government in the Finance Department;

(f) Director, Animal Husbandry, Uttar Pradesh;

(g) One reputed industrialist in the field of livestock nominated by the State Government.

(h) Two eminent Veterinarians nominated by the Chancellor on the recommendation of the State Government.

(i) Two persons from amongst livestock farmers or livestock breeders having the experience of scientific farming and livestock improvement nominated by the State Government.

(j) One Social worker having the background of rural advancement nominated by the State Government.

(2) Notwithstanding anything contained in sub-section (1), no person shall be nominated as a member of the Executive Council unless he is a graduate.

(3) The term of office of members mentioned in clause (h), (i) and (j) of sub-section (1) shall be two years.

(4) A person shall be disqualified for being nominated as, or for being a member of the Executive Council if he, or his relative, accepts remuneration for any work in, or, for the University or any contract for the supply of goods to or for the execution of any work for the University.

*Explanation :-* In this sub-section 'relative' means the relations defined in section (6) of the Companies Act, 1956 and includes the wife's (or husband's) brother, wife's (or husband's) father, wife's (or husband's) sister, brothers son and brother's daughter.

20. (1) The Executive Council shall be the principal executive body of the University and shall have the following powers namely-

Powers and duties of the Executive Council

(a) to supervise and control the affairs of the University;

(b) to hold and control the property and funds of the University;

(c) to recommend emoluments and terms and conditions of service of the Vice-Chancellor;

(d) to approve academic programmes;

(e) to make, amend or repeal Statutes;

(f) to prepare the budget of the University,

(g) to administer any funds placed at the disposal of the University,

(h) to acquire or transfer movable, immovable or intellectual property of the University;

(i) to direct the form and use of common seal of the University;

(j) to appoint such committees as may be required for the efficient functioning of the University,

(k) to determine the emoluments and terms and conditions of service of the staff of the University;

(l) to authorize operation of bank accounts of the University;

(m) to regulate and determine all other matters concerning the University in accordance with this Adhinyam or the Statutes.

(2) Every meeting of the Executive Council shall be held on such date, time and place as may be fixed by the Vice-Chancellor.

(3) The Member of the Executive Council shall be entitled to such allowances as may be prescribed.

(4) No immovable property of the University shall, except with the prior sanction of the State Government, be transferred (except by way of letting from month to month in the ordinary course of management) by the Executive Council by way of mortgage, sale, exchange, gift or otherwise, nor shall any money be borrowed, or advance taken on the security thereof except as a condition of receipt of any grant-in-aid of the University from the State Government, or, with the previous sanction of the State Government, from any other person.

(5) The Executive Council shall not exceed the limits of recurring and non-recurring expenditure to be incurred in each financial year fixed by the Finance Committee.

(6) The Executive Council may, subject to any conditions laid down in the Statutes, delegate such of its powers as it deems fit to an officer or any, other authority of the University, or to a Committee appointed by it.

21. (1) The Academic Council shall be principal academic body of the University and shall, subject to the provisions of this Adhinyam and the Statutes, have the control and general regulation of, and be responsible for the maintenance of standard of instruction, education and examination in the University and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes and may advise the Executive Council on all academic matters.

Academic Council

(2) The Academic Council shall consist of the following persons, namely :-

- |  |                 |
|--|-----------------|
| (a) the Vice Chancellor;   | <i>Chairman</i> |
| (b) the Pro-Vice-Chancellor;   | <i>Member</i>   |
| (c) five such Principals of affiliated constituent colleges as are not members of the Executive Council; | <i>Members</i>  |
| (d) one Head of the Department of the University nominated by the Vice-Chancellor;                       | <i>Member</i>   |

(3) The term of office of the members referred to in clause (c) of sub-section (2) shall be one year.

22. (1) The Finance Committee shall consist of the following members, namely:-

Finance Committee

- |   |                         |
|---|-------------------------|
| (a) the Vice Chancellor;  | <i>Chairman</i>         |
| (b) the Secretary to the State Government in the Finance Department;                        | <i>Member</i>           |
| (c) the Secretary to the State Government in the Animal Husbandry and Fisheries Department; | <i>Member</i>           |
| (d) two members of the Executive Council nominated by the Vice-Chancellor; and              | <i>Members</i>          |
| (e) the Finance Officer;  | <i>Member-Secretary</i> |

(2) The Finance Committee shall advise the Executive Council on matters relating to the administration of property and funds of the University. It shall, having regard to the income and resources of, the University fix limits for the total recurring and non-recurring expenditure for the ensuing financial year and may, for any special reasons, revise during the financial year the limit of expenditure so fixed and the limits so fixed shall be binding on the Executive Council.

(3) The Finance Committee shall have such other powers and duties as may be conferred or imposed on it by this Adhinyam or the Statutes.

(4) Unless a proposal having financial implication has been recommended by the Finance Committee, the Executive Council shall not take a decision thereon, and if the Executive Council disagrees with the recommendation of the Finance Committee, it shall refer the proposal back to the Finance Committee with reasons for the disagreement and if the Executive Council again disagrees with the recommendation of the Finance Committee the matter shall be referred to the Chancellor whose decision thereon shall be final.

23. (1) There shall be an Examinations Committee of the University, the constitution of which shall be such as may be provided for in the Statutes.

Examinations Committee

(2) The Committee shall supervise generally all the examinations of the University, including moderation and tabulation and perform the following other functions, namely:-

- |  |
|--|
| (a) to appoint examiners and moderators and, if necessary, to remove them; |
| (b) to review from time to time the results of the University examinations |

and submission of reports, thereon to the Academic Council;

(c) to make recommendations to the Academic Council for the improvement of the examination system;

(d) to finalize the list of the examiners and declare the result of the University.

(3) The Examinations Committee may appoint such number of committees as it thinks fit, and in particular, may delegate to any one or more persons or sub-committees, the powers to deal with decide cases relating to the use of unfair means by the examinees.

(4) Notwithstanding anything contained in any other provisions of the Adhinyam, it shall be lawful for the Examinations Committee or, as the case may for a sub-committee or any person to whom the Examination Committee has delegated its power in this behalf under sub-section (3) to debar such examinee from future examinations of the University, if in its or his opinion, such examinee is guilty using unfair means at any such examination.

(5) Subject to any other provisions of this Adhinyam and the Statutes, Examination Committee may issue such directions as it considers necessary for arrangements for conduct of the Examinations.

24. The Constitution, powers and duties of other Authorities of the University shall be such as may be prescribed. Other Authorities

## CHAPTER-VI

### AFFILIATION OF COLLEGES

25. (1) The Executive Council may, with the previous sanction of the Chancellor, admit any college which fulfils such conditions of affiliation, as may be prescribed, to the privileges of affiliation or enlarge the privileges of any college already affiliated or withdrawn or curtail any such privilege. Affiliation Colleges of

(2) It shall be lawful for an affiliated college to make arrangement with any other affiliated college situated in the same local area, or with the University, for cooperation in the work of teaching or research.

(3) Except as otherwise provided in any other provisions of this Adhinyam the Management of an affiliated college shall be free to manage and control the affairs the college and be responsible for its maintenance and upkeep, and its principal shall be responsible for the discipline of its students and for the superintendence and control of its staff.

(4) Every affiliated college shall furnish such reports, returns and other particulars as the Executive Council or the Vice-Chancellor may call for.

(5) The Executive Council shall cause every affiliated college to be inspected form time to time at intervals not exceeding five years by one or more person authorized by it on that behalf, and a report of the inspection shall be made to the Executive Council.

(6) The Executive Council may direct an affiliated college so inspected to take such action as may appear to it to be necessary within such period as may be specified.

(7) The privileges of affiliation of college which fail to comply with any direction of the Executive Council under sub-section (6) or to fulfill the condition of affiliation may, after obtaining a report from the Management of the College and with previous sanction of the Chancellor, be withdrawn or curtailed by the Executive Council in accordance with the provisions of the Statutes.

(8) Notwithstanding anything contained in sub-sections (1) and (7), if the Management of an affiliated college has failed to fulfill the conditions of affiliation, the Chancellor may, after obtaining a report from the Management and the Vice-Chancellor, withdraw or curtail the privileges of affiliation.

26. (1) The Uttar Pradesh College of Veterinary Science, Mathura shall cease to be constituent college of the Chandra Shekhar Azad Krishi Evam Prodyogik Constituent Colleges

Vishwavidyala, Kanpur and shall be on and from the commencement of this Adhinyam the constituent college of the University.

(2) The University may establish such other constituent colleges as it may consider necessary and expedient.

27. (1) A person shall be disqualified for being chosen as, and for being, a member of the Management of an affiliated college (other than a college maintained exclusively by the State Government or by local authority), if he or his relative accepts any remuneration for any work in, or for, such College or any contract for the supply of goods, to, or for the execution of any work for such College.

Disqualification for membership of Management

*Explanation:-* The term "relative" shall have the meaning assigned to it in the explanation to sub-section (4) of section 19.

28. (1) The State Government shall have the right to cause an inspection to be made by such person as it may direct, of an affiliated College, including buildings, laboratories and equipments thereof and also of the examinations, teaching and other work conducted or done by it, or cause an inquiry to be made in respect of any matter connected with the administration and finances of such college.

Inspection and Inquiry

(2) Where the State Government decides to cause an inspection or inquiry to be made under sub-section (1), it shall inform the management of the affiliated college and a representative appointed by the Management and where the Management fails to appoint a representative, the Principal of the College may be present at such inspection or inquiry and shall have the right to be heard on behalf of the Management but no legal practitioner shall appear, plead or act on behalf of the college 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 the Civil procedure, 1908, for the purpose of taking evidence on oath and of 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 section 345 and 346 of the code of Criminal procedure, 1973 and any proceedings before him or them shall be deemed to be judicial proceedings within the meaning of section 193 and 228 of the Indian Penal Code.

(4) The State Government may communicate to the management of the affiliated college, the result of such inspection or inquiry and may issue direction as to the action to be taken and the management shall forthwith comply with such directions.

(5) The State Government shall inform the Vice-Chancellor about the communication made by it to the Management under sub-section (4) 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.

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

(7) If the University authorities do not, within a reasonable time, take action to the satisfaction of the State Government, the State Government may, after considering an explanation which the University authorities may furnish, issue such directions as it may think fit, and the University authorities shall be bound to comply with such direction.

(8) The State Government may, at any time, call for any information from the Management or Principal of an affiliated college in connection with such inspection or inquiry.

29. The University may, with the prior approval of State Government, establish one or more institutes to organize and conduct teaching and research in any subject.

Institutes

30. No person connected with the Management of an affiliated college and no principal or other teacher or employee thereof shall directly or indirectly take or receive or cause to be taken or received any contribution, donation, fees or any

Bar of charging and donation etc, for admission to a college

other payment of any sort, either in cash or in kind, except the fees at the rates laid down by or under the Statutes from or on behalf of any pupil as a condition for granting him admission to or permitting him after such admission to continue in such college.

31. Where a contribution or donation, either in cash or in kind, is taken or received by any affiliated college not maintained exclusively by the State Government or a local authority, the contribution or donation so received shall be utilized only for the purpose for which it was given to it and in the case of a college maintained exclusively by the State Government any cash contribution or donation shall be credited to the personal ledger account of such institution which shall be operated in accordance with the general or special orders of the State Government.

Contribution and donation to college

## CHAPTER-VII APPOINTMENT AND CONDITIONS OF SERVICE OF TEACHERS AND OFFICERS

32. (1) Subject to the provisions of this Adhinyam, the teachers of the University and the teachers of an affiliated college, other than a college maintained exclusively by the State Government, shall be appointed by the Executive Council or the Management of the affiliated college on the recommendation of a Selection Committee in the manner hereinafter provided. The selection committee shall meet as often as necessary.

Appointment of Teachers

(2) The appointment of every such teacher, Director and Principal not being an appointment under sub-section(3), shall in the first instance be on probation for one year which may be extended for a period not exceeding one year:

Provided that no order of termination of service during or on the expiry of the period of probation shall be passed-

(a) In the case of a teacher of the University, except by order of the Executive Council made after considering the report the Vice-Chancellor and unless the teacher is himself the Head of the Department the Head of the Department concerned.

(b) In the case of Principal of an affiliated college except by order of the Management; and

(c) In the case of any other teacher of an affiliated college except by order of the Management made after considering the report of the Principal and unless such teacher is the senior most teacher of the subject, also of the senior most teacher of the subject;

Provided further that no such order of termination shall be passed except after notice to the teacher concerned giving him an opportunity of explanation in respect of the grounds on which his services are proposed to be terminated:

Provided also that if a notice is given before the expiry of the period of probation or the extended period of probation, as the case may be, the period of probation, shall stand extended until the final order of the Executive Council under clause (a) of the first proviso or, as the case may be, until the approval of the Vice-Chancellor under section 37 is communicated to the teacher concerned.

(3) (a) In case of a teacher of the University other than a Professor, the Vice-Chancellor, in consultation with the Dean of the Faculty and the Head of the Department concerned and an expert nominated by the Chancellor in that behalf and in the case of a teacher of an affiliated college, the Management, in consultation with an expert nominated by the Vice-Chancellor in that behalf may make officiating appointment in a vacancy caused by the grant of leave to an incumbent for a period not exceeding ten months without reference to the Selection Committee, but shall not fill any other vacancy or post likely to last for more than six months without such reference.

(b) Where before or after the commencement of this Adhinyam, any teacher is appointed after reference to a Selection Committee to a temporary post likely to last

for more than six months, and such post is subsequently converted into a permanent post in a vacancy caused by the grant of leave to an incumbent for a period exceeding ten months and such post subsequently becomes permanently vacant or any post of same cadre and grade is newly created or falls vacant in the same department, then unless the Executive Council or the Management, as the case may be, decides to terminate his services after giving an opportunity to show cause, it may appoint such teacher in a substantive capacity to that post without reference to a Selection Committee :

Provided that this clause shall not apply unless the teacher concerned holds the prescribed qualifications for the post at the time of such substantive appointment, and he has served continuously, for a period of not less than one year after his appointment made after reference to a Selection Committee:

Provided further that appointment in a substantive capacity under this clause of a teacher who had served, before such appointment, continuously for a period of less than two years, shall be on a probation for one year which may be extended for a period not exceeding one year, and the provisions of sub-section (2) shall apply accordingly.

(4) (a) The selection Committee for the appointment of a teacher of the University other than the Director of an Institute or the Principal of a constituent college shall consist of ----

Selection committee

- (i) the Vice-Chancellor who shall be the Chairman thereof;
- (ii) the head of Department Concerned:

Provided that the Head of Department shall not sit in the Selection Committee, when he is himself a candidate for appointment or when the post concerned is of a higher rank than his substantive post and in that event his office shall be filled by the Professor in the department and if there is no professor by the dean of the faculty:

Provided further that where the Chancellor is satisfied that in the special circumstances of the case a selection committee can not be constituted in accordance with the preceding proviso, he may direct the constitution of the Selection Committee in such manner as he thinks fit.

- (iii) in the case of a Professor or Reader, three experts and in any other case, two experts to be nominated by the Chancellor;
- (iv) in the case of appointment of teacher of an institute of constituent college, the Director of the institute or the Principal of the constituent college, as the case may be.

(b) The Selection Committee for the appointment of the Director of an Institute or the Principal of a constituent college shall consist of-

- (i) the Vice-Chancellor, who shall be the chairman thereof;
- (ii) two experts to be nominated by the Chancellor.

(c) The Selection Committee for the appointment of the Principal of an affiliated college other than a college nominated exclusively by the State Government shall consist of-

- (i) the Head of the Management or a member of the management nominated by him who shall be chairman;
- (ii) one of the Deans of Professors of those faculties which comprise subjects taught in the college, to be nominated by the Vice-Chancellor;
- (iii) one member of the Management nominated by the Management and;
- (iv) two experts to be nominated by the Vice-Chancellor:

Provided that in the case of appointment of the Principal of an affiliated College, the Dean of Faculty shall not sit in the Selection Committee, if he is himself a teacher of that college:

Provided further that in the case of Colleges established and administered by a minority referred to in clause (i) of Article 30 of the Constitution the experts shall be nominated by the Management from out of panel of five experts by the Management

suggested and approved by the Vice-Chancellor:

Provided also that in the case of Colleges referred to in the preceding proviso, the Dean or Professor who shall be the member of the Selection Committee under sub-clause (ii) shall also be nominated by the Management from out a panel of five Deans or Professors suggested by the Management and approval by the Vice-Chancellor, and if the requisite member of such Deans or Professors is not so available, the panel may include the names of Principals of affiliated colleges.

(d) The Selection Committee of other Teachers of a affiliated college, other than a college nominated exclusively by the State Government shall consist of-

(i) the head of the Management or a member of the Management nominated by him who shall be the chairman;

(ii) the Principal of the College and another teacher of the college nominated by the Principal;

(iii) two experts to be nominated by the Vice-Chancellor:

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:

Provided further that in the case of colleges established and administered by a minority referred to in clause (1) of Article 30 of Constitution the experts shall be nominated by the Management from out of a panel of five experts suggested by the Management and approval by the Vice-Chancellor.

(5) (a) A panel of six or more experts in each subject of study shall be drawn up by the Chancellor after consulting the corresponding Faculty in Indian Universities or such academic bodies or research institutions in or out side Uttar Pradesh as the Chancellor may consider necessary. Every expert to be nominated by the Chancellor under sub-section (4) shall be a person whose name is borne on such panel.

(b) The Board of each Faculty shall maintain a standing panel of sixteen or more experts in each subject of study, and every expert to be nominate by the Vice-Chancellor under sub-section (4) shall be a person whose name is borne on the panel.

(c) A panel referred to in clause (a) or clause (b) shall be revised after every three years.

*Explanation I-* For the purposes of this sub-section, a branch of subject in which a separate course of study is prescribed for a postgraduate degree or for Part I or Part II thereof shall be deemed to be a separate subject of study.

*Explanation II-* Where the post of teacher to be selected is common to more than one subject of study, the expert may belong to either of such subjects of study.

(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.

(6) No recommendation made by a Selection Committee referred to in sub-section (4) shall be considered to be valid unless one of the experts had agreed to such selection.

(7) Subject to the provisions of sub-section (6), the majority of the total membership of any Selection Committee shall form the quorum of such Committee:

Provided that in the case of a Professor or a Reader the persons present to form the quorum must include at least two experts.

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

(9) (a) In the case of appointment of a teacher of the University, if the Executive

Council does not agree with the recommendation made by the Selection Committee, the Executive Council shall refer the matter to the Chancellor alongwith the reasons of such disagreement, and his decision shall be final:

Provided that if the Executive Council does not make a decision on the recommendations of the Selection Committee within a period of four months from the date of meeting of such Committee, then also the matter shall stand referred to the Chancellor, and his decision shall be final.

(b) Where the failure of the Executive Council to take a decision within the period specified in the proviso to clause (a) is not attributable to any fault of the Executive Council the chancellor may require the Executive Council, to take a decision within such time as the Chancellor may, from time to time, allow and may direct the Vice-Chancellor to call a meeting of the Executive Council for the purpose:

Provided that-

(i) if the Executive Council does not agree with the recommendations made by the Selection Committee, the Executive Council shall refer the matter to the Chancellor along with the reasons of such disagreement and his decision shall be final :

(ii) if the Executive Council does not take a decision within the time allowed by the Chancellor , the Chancellor shall decide the matter and his decision shall be final.

(c) In the case of appointment of a teacher of an affiliated college, if the Management does not agree with recommendation made by Selection Committee, the Management shall refer the matter to the Vice-Chancellor along with the reasons of such disagreement, and his decision shall be final:

Provided that in the case of appointment of a teacher of an affiliated college, established and administered by a minority referred to in clause (1) of Article 30 of the Constitution, if the Management does not agree with the recommendation made by a Selection Committee, the Management shall have the right to appoint another Selection Committee and the decision of the Committee shall be final.

(10) The disqualification of members of Selection Committee for appointment of teachers of the University and the Principals and other teachers of such affiliated colleges on the ground of interest for participating in the deliberations of such Committees and other matters relating to appointment of such Principals and teachers shall be prescribed by the Statutes.

(11) No selection for any appointment under this selection shall be made except after advertisement of the vacancy in at least three issue of two newspapers having adequate circulation in Uttar Pradesh.

(12) (a) No teacher recommended by the Selection Committee shall be appointed by the Management of an affiliated college other a college maintained exclusively by the State Government, unless prior approval of the Vice-Chancellor has been obtained.

(b) The Management shall, as soon as possible, after the meeting of the Selection Committee, submit the recommendations of the Committee, along with other relevant documents to the Vice-Chancellor for approval

(c) The Vice-Chancellor, if he is satisfied that the candidate recommended by the Selection Committee does not possess the minimum qualification or experience prescribed, or that the procedure laid down in the Adhinyam for the selection of the teacher has been followed, shall convey to the Management his disapproval:

Provided that if the Vice-Chancellor does not convey his disapproval within a period of one month from the date of receipt of the documents referred to in clause (b) or does not send to the Management any intimation in connection therewith, he shall be deemed to have approved of the proposal.

(13) Notwithstanding anything contained in this section, the Executive Council, with the prior approval of the Chancellor, or the Management with the prior approval of the Vice-Chancellor, may appoint on deputation on the post of a teacher any government servant who possesses the qualifications prescribed for the post.

33. (1) Notwithstanding anything to the contrary contained in any other provision of this Adhinyam, a Lecturer in the University appointed under Section 32, or a Reader in the University appointed under section 32 or promoted under this section, who has put in such length or service and possesses such qualifications, as may be prescribed, may be given promotion, respectively to the post of Reader or Professor.

Personal promotion to Teacher of University

(2) Such personal promotion shall be given on the recommendation of the Selection Committee, constituted under clause (a) of sub-section (4) of section 32 in such manner and subject to such conditions as may be prescribed.

(3) Nothing contained in this section shall affect the posts of the teachers of the University to be filled by direct appointment in accordance with the provisions of Section 32.

34. (1) Except as otherwise provided by the Statutes, no salaried officer and teacher of the University shall be appointed except under a written contract which shall be consistent with the provisions of this Adhinyam, and the Statutes.

Contract of appointment of teachers of the University

(2) The original contract shall be lodged with the Registrar and a copy thereof shall be furnished to the officer or teacher concerned.

(3) In case of an officer or teacher employed before the commencement of this Adhinyam, all contracts in force, immediately before such commencement shall, to the extent of any inconsistency with the provisions of this Adhinyam, or the Statutes, be deemed to have been modified by the said provisions.

35. The University and every affiliated college shall constitute, for the benefit of its officers, teachers and other employees, in such manner and subject to such conditions as may be specified by general or special order by the State Government such pension, insurance or provident fund, as it may deem fit including a fund from which such teachers or their heirs, as the case may be, shall be paid pension or gratuity in the event of their incurring disability, wound or death in connection with the discharge of their duties as Superintendent of a Centre of invigilators as defined in the Uttar Pradesh Universities (Provisions regarding Conduct of Examinations) Act, 1965.

Pensions, Provident fund etc.

36. (1) The conditions regarding payment of remuneration to the teachers of the University or an affiliated college for any duties performed in connection with any examination conducted by an Indian University or any body other than Public Service Commission shall be such as may be prescribed.

Limits of additional remunerative work permissible to teachers.

(2) No teacher of the University or of an affiliated college shall at any time, hold more than one remunerative office carrying duties other than teaching or duties connected with any examination.

*Explanation :-* The words " remunerative office" include the offices of warden or superintendent of a Hall or Hostel, Proctor, Games Superintendent, Librarian and any office in the national Cadet Corps, National Sports Organization, National social service scheme and University Employment Exchange.

37. (1) Every teacher in an affiliated college, other than a college maintained exclusively by the State Government, shall be appointed under a written contract which shall contain such terms and conditions as may be prescribed. The contract shall be lodged with the University and a copy thereof shall be given to the teacher concerned and another copy thereof shall be retained by the college concerned.

Conditions of service of teachers of affiliated colleges other than those maintained by Government or local authority

(2) Every decision of the Management of such college to dismiss or remove a teacher or to reduce him in rank or to punish him in any other manner shall before it is communicated to him, be reported to the Vice-Chancellor and shall not take effect unless it has been approved by the Vice-Chancellor;

Provided that in the case of colleges established and administered by a minority referred to in clause (1) of Article 30 of the Constitution, the decision of the management dismissing, removing or reducing in rank or punishing in any other manner any teacher shall not require the approval of the Vice-Chancellor, but shall be reported to him and unless he is satisfied that the procedure prescribed in this behalf has been followed, the decision shall not be given effect to.

(3) The provision of sub-section (2) shall also apply to any decision to terminate

the services of a teacher, whether by way of punishment or otherwise but shall not apply to any termination of service on the expiry of the period for which the teacher was appointed:

Provided that in the case of colleges established and administered by a minority referred to in clause (1) of Article 30 of the Constitution, the decision of the management terminating the service of any teacher shall not require the approval of the Vice-Chancellor, but shall be reported to him and unless he is satisfied that the procedure prescribed in this behalf has been followed, the decision shall not be given effect to.

(4) Nothing in sub-section (2) shall be deemed to apply to an order of suspension pending inquiry, but any such order may be stayed, revoked or modified by the Vice-Chancellor:

Provided that in the case of colleges established and administered by a minority referred to in clause (1) of Article 30 of the Constitution, such order may be stayed, revoked or modified by the Vice-Chancellor only if the conditions prescribed for such suspension are not satisfied.

(5) Other conditions of service of teachers of such colleges shall be such as may be prescribed.

#### Chapter –VIII

#### STATUTES

38. (1) The first Statutes of the University shall be made by the State Government by notification. Statutes how made

(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 Statutes affecting the status, power or constitution of any existing authority of the University until such authority has been given an opportunity of expressing its opinion upon the proposal and any opinion so expressed shall be in writing and shall be considered by the Executive Council.

(3) Notwithstanding anything contained in the foregoing sub-sections, the State Government may in order to implement any decision taken by it in the interest of learning, teaching or research on the basis of any suggestion or recommendation of the University Grants Commission or the State or National Education Policy, require the Executive Council to make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) or sub-section (2) within a specified time and if the Executive Council fails to comply with such requirement the State Government may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) or sub-section(2).

39. Subject to the provisions of this Adhinyam, the Statutes may provide for any matters relating to the University and shall in particular, provide for- Statutes

(a) the appointment, powers and duties of the officers of the University;

(b) the constitution of pension or provident fund or the establishment of an insurance scheme for the benefit of the officers and other employees of the University;

(c) the conferment of honorary degrees;

(d) the withdrawal of degrees and other academic distinctions;

(e) the conditions under which colleges may be admitted to the privileges of the University and the conditions under which any such privilege may be withdrawn;

(f) the degrees and other academic distinctions to be awarded by the University, the qualifications for the same and amounts to be taken relating to be granting and obtaining of the same;

(g) the fees to be charges for courses of study in the University and for admission to the examinations, degrees and other academic distinctions of the University;

(h) the conditions of the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;

(i) the conduction of examinations including terms of office and manner of appointment and duties of examining bodies, examiners and moderators;

(j) the power to remove officers (excluding Chancellor) and employees of the University, their emoluments and terms and conditions of service;

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

## CHAPTER-IX

### ANNUAL REPORTS AND ACCOUNTS

40. (1) The Annual Reports 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 object.

Annual Reports

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

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

41. (1) the annual account or 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 Director, Local Fund accounts, Uttar Pradesh or by such person or persons as the state Government may authorize in this behalf.

Accounts and Audit

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

(3) Any observation 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.

42.(1) Whenever any complaint is received by the State Government regarding loss, waste or misapplication of any money or property of the University or the State Government on its own thinks fit, it may direct for special audit of the University being done by the Director, Local Funds Accounts, Uttar Pradesh or any officer subordinate to him.

Surcharge

(2) On receiving the special audit report, the State Government shall issue a notice to the officer of the University on account of whose negligence or misconduct, the loss, waste or misapplication referred to above, has occurred, calling upon him to explain his action within the time fixed by the State Government in this behalf.

(3) The State Government, after considering the audit report and the reply of the officer referred to above, may take suitable decision in this behalf.

(4) If the State Government is of the opinion that the officer should be held responsible for paying the surcharge determined by the State Government, the same shall be recoverable as arrears of land revenue or in such other manner as may be directed by the State Government.

## CHAPTER X

### MISCELLANEOUS

43. (1) Except as expressly provided by this Adhinyam, or the Statutes, officers of the University and members of authorities of the University shall so far as may be, be chosen by methods other than election.

Manner of appointment of officers and members of authorities

(2) Where a provision is made in this Adhinyam or the Statutes for any appointment by rotation or a according to seniority or other qualifications the

manner of rotation and determination of seniority and other qualifications shall be such as may be prescribed by the Statutes.

44. (1) Any casual vacancy among the members, other than *ex-officio* members, of any authority or body of the University shall be filled in the same manner in which the member whose vacancy is to be filled up, was chosen, and the person filling the 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 a member.

Filling of casual vacancies

(2) A person, who is member of any authority of the University as a representative of another body, whether of the University or outside, shall retain his seat on such authority for so long as he continue to be the representative of such body.

45.(1) No act or proceeding, of any authority body or committee of the University shall be invalid merely by reason of :-

Proceeding not to be invalidated by vacancy etc

(a) any vacancy or defect in the constitution thereof; or

(b) some person having taken part in the proceedings who was not entitled to do so; or

(c) any defect in the election, nomination or appointment of a person acting as member thereof; or

(d) any irregularity in its procedure not affecting the merits of the case.

46. The Executive Council may by a two-third majority of the members present and voting remove any person from membership of any authority or other body of the University upon the ground that such person has been convicted of an offence which, in the opinion of the Executive Council, is an offence involving moral turpitude or upon the ground that he has been guilty of scandalous conduct or had behaved in a manner unbecoming of a member of the University and may upon the same grounds withdraw from any person any degree, or certificate conferred or granted by the University.

Removal from membership of the University

47. If any question arises whether any person has been duly elected or appointed as, or is entitled to be, member of any authority or other body of the University or whether any decision of any authority or the officer of the University (including any question as to the validity of a Statute) is in conformity with this Adhinyam, or the Statutes made thereunder the matter shall be referred to the Chancellor and the decision of the Chancellor thereon shall be final:

Reference to the Chancellor

Provided that no reference under this section shall be made:-

(a) more than three months after the date when the question could have been raised for the first time,

(b) by any person other than an authority or officer of the University or a person aggrieved:

Provided further that the Chancellor may in exceptional circumstances,-

(a) act *suo motu* or entertain a reference after the expiry of the period mentioned in the preceding proviso;

(b) where the matter referred relates to a dispute about the election, and the eligibility of the person so elected is in doubt, pass such orders of stay as he thinks just and expedient.

48. No suit or other legal proceedings shall lie against the State Government or the University or any officer, authority or body thereof in respect of anything done or purported or intended to be done in pursuance of this Adhinyam or the Statutes made thereunder.

Bar of suit

49. (1) A copy of any receipt, application, notice, order, proceeding or a resolution of any authority or committee of the University or other document in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of

Mode of proof of University record

such receipt, application, notice, order, proceedings, resolution or document or the existence of entry in the register and shall be admitted as evidence of the matters and transaction therein recorded where the original thereof would if produced have been admissible in evidence.

(2) No officer or servant of the University shall in any proceeding to which the University is not a party, be required to produce any document, register or other record of the University contents of which can be proved under subsection (1) by a certified copy, or to appear as a witness to prove the matters, and transactions recorded therein unless by order of the court made for special cause.

50.(1) The State Government may, for the purpose of removing any difficulty, by a notified order direct that the provisions of this Adhiniyam shall, during such period as may be specified in the order, have effect subject to such adaptations whether by way of modification, addition or omission as it may deem to be necessary or expedient.

Power to remove difficulties

(2) No order under sub-section (1) shall be made after the expiry of a period of two years from the date of the commencement of this Adhiniyam.

(3) Every order made under sub-section (1) shall, as soon as may be after it is made, be laid before both the houses of the State Legislature and the provisions of section 23-A of the Uttar Pradesh General Clauses Act, 1904 shall apply as they apply in the respect of rules made by the State Government under any Uttar Pradesh Act.

(4) 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 subsection (1) existed or required to be removed.

51.(1) Notwithstanding anything contained in the Uttar Pradesh Krishi Evam Prodyogik Vishwavidyalaya Adhiniyam, 1958, the Statutes or the Regulations and orders made thereunder, on and from the appointed date,-

Transfer of assets etc.

(a) All properties and assets of the Chandra Shekhar Azad Krishi Evam Prodyogik Vishwavidyalaya Kanpur pertaining to the department of Veterinary and Animal Sciences including Uttar Pradesh college of Veterinary Science Mathura hereinafter referred to as the erstwhile University, shall stand transferred to, and vest in the University.

(b) All debts, liabilities and obligations of the erstwhile University whether contractual or otherwise shall stand transferred to the University.

(c) Services of every whole time teachers, employees and officers of the erstwhile University shall stand transferred to the University on the terms and conditions as they stood immediately before such transfer.

52. All suits, cases, appeals or other legal proceedings instituted by, or against, the erstwhile University, which are pending at the commencement of this Adhiniyam, may be continued, prosecuted or enforced by or against the University, after such commencement.

Legal proceedings

53. Any reference to the Chandra Shekhar Azad Krishi Evam Prodyogik Vishwavidyalaya, Kanpur in any other law for the time being in force or in any contract or other instrument shall be construed,-

Construction of contract etc.

(a) If such reference relates to any asset or property of the Chandra Shekhar Azad Krishi Evam Prodyogik Vishwavidyalaya Kanpur pertaining to the department of Veterinary and animal science including Uttar Pradesh College of Veterinary Science, Mathura as a reference to the University, and

(b) In any other case, as a reference to the Chandra Shekhar Azad Krishi Evam Prodyogik Vishwavidyalaya Kanpur.

54. Any obligation incurred, before the commencement of this Adhiniyam, by the erstwhile University to confer any degree or other academic distinctions on, or to issue any diploma or other certificate, to any person or to grant any copy of any degree, diploma, certificate, marks-sheets or other documents to any person shall, after such commencement, be the obligation of the Chandra Shekhar Azad Krishi Evam Prodyogik Vishwavidyalaya, Kanpur.

Obligations to be discharged by the Chandra Shekhar Azad Krishi Evam Prodyogik Vishwavidyalaya Kanpur.

55. If any dispute arises by reason of the transfer of the property pertaining to the department of Veterinary and Animal Sciences including Uttar Pradesh College of Veterinary Science, Mathura from Chandra Shekhar Azad Krishi Evam Prodyogik Vishwavidyalaya, Kanpur to the University, such dispute shall be resolved in the first instance by the Vice-Chancellor of the said two Universities and in the event of the failure of such Vice-Chancellors to arrive at an agreement with regard to any such dispute, the matter shall be referred to the State Government whose decision thereon shall be final.

Settlement of  
Disputes

56. The provision of this Adhiniyam shall have effect, notwithstanding anything to the contrary in the Uttar Pradesh Krishi Evam Prodyogik Vishwavidyalaya Adhiniyam, 1958.

Overriding Effect

By order,  
Y.R. TRIPATHI,  
*Pramukh Sachiv.*

---

### STATEMENT OF OBJECTS AND REASONS

Owing to the shortage of institutions imparting higher education in the field of Veterinary and Animal Science in the State, it has been decided to establish a University at Mathura by the name of Pandit Deen Dayal Upadhyaya Pashu Chikitsa Vigyan Vishwavidyalaya Evam Go-Anusandhan Sansthan for the advancement and development of education in the field of Aeterinary and Animal Science and to transfer the Uttar Pradesh College of Veterinary Science, Mathura alongwith its assets and properties from Chandra Shekhar Azad Krishi Evam Prodyogik Vishwavidyalaya, Kanpur to the Pandit Deen Dayal Upadhyaya Pashu Chikitsa Vigyan Vishwavidyalaya Evam Go-Anusandhan Sansthan.

The Uttar Pradesh Pandit Deen Dayal Upadhyaya Pashu Chikitsa Vigyan Vishwavidyalaya Evam Go-Anusandhan Sansthan Vidheyak, 2001 is introduced accordingly.