

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 as
sent to
by the Governor on September 22, 1974 and Published in
Gazette extra-ordinary dated September 25, 1974)

the U.P.

AN

ACT

*to repeal the Uttar Pradesh State Universities Act, 1973 and
to 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
2. The Uttar Pradesh State Universities Act, 1973, (hereinafter
in this chapter referred to as the principal Act) is hereby repealed
and modifications re-
enacted with the modifications set out in sections 3 to 18.

o
f
P
r
e
s
d
e
n
t
,

A
c
t
n
o
.
1
0
o
f

1
9
7
3

Amendment of

3. In the title of the principal Act, the words "Enacted by the

title and President the Twenty-
fourth Year of the Republic of India shall be **preamble**
 omitted, and for the existing preamble, the words "It is hereby en-
acted as follows shall be substituted.

Amendment of 4. In section 1 of the principal Act,

in sub-section (4), section

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

(i) in clause (4), for the words "this Act", the words "t
 his
 Act and the Statutes of the University" shall be substi-
 tuted;

(ii) in clause (18), for the words "by the Un-
 iversity or by
 a constituent, affiliated or associated college f
 or imparting
 instruction or guiding or conducting research
 ", the words
 "for imparting instruction or guiding or condu-
 cting research
 in the University or in an Institute or in a constit-
 uent,
 affiliated or associated college" shall be substi-
 tuted.

Amendment of 6. In section 4 of the principal Act, after sub-
 section (1), the **section 4** 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 appoi-
 nt in this behalf, there shall be established-

(a) a University of Bundelkhand at Jhansi;

[The Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974]

(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-sections 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-sections 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:
 [The Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974]
 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

maybe, may intimate in a specified order, a large 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-sections 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 past."

(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

omitted.

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

Amendment of section 49

be substituted.

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

[The Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974]

Amendment of section 50

15. In section 50 of the principal Act-

(i) after sub-section (1), the following sub-sections 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-sections 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**

16. After section 72 of the principal Act, the following section

72-A shall be inserted, namely:-

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

**Transitory
provisions**

(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

respect to 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;

[The Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974]

(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 result 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**

18. In the Schedule to the principal Act, for the entries at serial

Schedule 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, Ram-pur 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, Mirzapur, Pratapgarh, Sultanpur and Varanasi.

[The Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974]

(ii) upon the establishment of Districts of Azamgarh, Ballia, the University of Avadh. Basti, Deoria, Ghazipur,

Gorakhpur, Jaunpur, Mirzapur and Varanasi.

5. The University of Kanpur-

(i) until the establishment of Districts of Allahabad, Banda, the Universities of Barabanki, Etawah, Bundelkhand and Avadh. Farrukhabad, Fateh-pur, Hamir

pur,Hardoi,Jalaun,
 Kanpur,Lakhimpur-
 Lalitpur,Lucknow,Rae
 Sitapur,andUnnao
 ingtheareawhichlies
 thelimitsofthe
 rsitiesofAllahabadand
 ow.
 (ii)upontheestablishmentof
 habad,Etawah,Fateh theUniversitiesof
 d.Hardoi,Kanpur, BundelkhandandAvadh,
 ri,Lucknow,Rae
 ndUnnaoexcepting
 swithinthelimits
 esofAllahabadand
 6.TheUniversityofMeerut.
 fBulandshahr.Meerut
 nagarandSaharanpur.
 7.TheUniversityofKumaun.
 fAlmora,NainiTaland
 h.
 8.TheUniversityofGarhwal.
 fChamoli,DehraDun,
 TehriGarhwaland
 i.
 9.TheUniversityof
 tsofBanda,Hamirpur, Bundelkhand.
 ,JhansiandLalitpur.
 10.TheUniversityofAvadih.
 ahraich,BaraBanki,
 onda,Pratapgarhand
 11.TheUniversityof

Jhansi,
 Kheri,
 Bareli,
 except
 within
 Unive
 Luckn
 DistrictsofAlla
 pur,Farrukhaba
 LakhimpurKhe
 Bareli,Sitapura
 theareawhichlie
 oftheUniversiti
 Lucknow.
 Districtso
 Muzaffar
 Districtso
 Pithoragar
 Districtso
 Garhwal,
 Uttarakash
 Distric
 Jalaun
 DistrictsofB
 Faizabad,G
 Sultanpur.
 Distr

ictsofBudaun.Bareilly, Rohilkhand.

Bijn

or,Moradabad,Pilibhit,

Ram

purandShahjahanpur."

CHAPTER III

Amendment Of Uttar Pradesh Agricultural University Act, 1958

Amendment of

19. In the long title and the preamble of the Uttar Pradesh

long title and

Agricultural University Act, 1958 (hereinafter in this Chapter referred

Preamble of U.

P. Act) Act no. to the principal for the words "an Agricultural University", the words 45 of 1958 "Agricultural Universities" shall be substituted.

Amendment

20. Insertion 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.

[The Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974]

Amendment

21. Insertion 2 of the principal Act, for clause (1), the following clauses 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 shall be inserted, namely:-

Establishment of Universities at Faizabad

and Kanpur

22. After section 2 of the Principal Act, the following section

"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 known as the Narendra Deva Krishi Evam Prodyogik Vishwavidyalaya; and

(ii) a University at Kanpur to be known 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 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 term 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 body corporate by the name of that University."

Insertion of new section **24.** After section 6 of the Principal Act, the following section 6-A 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."

[The Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974]

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	Serial Name of the University no.
--	-----------------------------------

exercise jurisdiction for purposes of extension, training and research.

1-Gobind Ballabh Pant
Evam

Prodyogik Vishwavidyalaya-

The whole of Uttar Pradesh. Narendra	until Deva Prodyogik Chandrashekher	the establishment of the Krishna Evam Vishwavidyalaya and Azad Krishna Evam
--------------------------------------	-------------------------------------	---

Prodyogik Vishwavidyalaya.

Kunaun. Garhwal, (b) upon the establishment of the Rohilkhand and Narendra Meerut Divisions. Prodyogik Chandra-shekhar Azad Krishna Evam Prodyogik Vishwavidyalaya.

Faizabad, Gorakhpur 2- Narendra Deva Krishi
Evam
and Varanasi Prodyogik Vishwavidyalaya.

Divisions.

Lucknow, Jhansi, Agra 3- Chandrashekhar Azad Krishi Evam
and Allahabad Prodyogik vidyalaya. Vishwa-
Divisions." vidyalaya.

General 27. In the principal Act, for the words "The Chancellor", "the
Amendment 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 28. (1) The State Government may, for the purpose of removing
Difficulties any difficulty, particularly in relation to the establishment and
functioning of the Universities of Bundelkhand, Avadh, Rohilkhand and
Narendra Deva Krishi Evam Prodyogik
Vishwavidyalaya or
Chandrashekhar 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 adapta-
tion whether by way of modification, addition or omission as it may
deem to be necessary or expedient:

[The Uttar Pradesh Universities (Re-enactment and Amendment) Act, 1974]

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 was 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 UP. Agricultural University Act, 1958, is also proposed to be amen-
ded 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.