

ALIGARH MUSLIM UNIVERSITY ACT, 1920

40 of 1920

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SCHEDULE :- THE STATUTES OF THE UNIVERSITY

ALIGARH MUSLIM UNIVERSITY ACT, 1920

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Act 62 of 1951.- "The University Education Commission, while making certain recommenda- tions in regard to University education generally, have also dealt with certain special problems rela- ting to the Central Universities at Banaras, Aligarh and Delhi. These recommendations were generally approved by the Central Advisory Board of Education at their meeting in April, 1950. The Govern- ment of India, after careful consideration of the matter, have decided that while it is not necessary to change the names of the Banaras and Aligarh Universities the disqualifications imposed by the respective Acts on non-Hindus and non-Muslims being members of the Court of the University should be removed. They have also decided that other recommendations of the University Educa- tion Commission, in so far as they relate to the Central Universities, should be implemented as far as possible. It is,

therefore, now proposed to amend the Aligarh Muslim University Act in order to give effect to those recommendations. 2. The main features of the Bill are- (i) religious instruction is to be given only to those who wish to receive it, as required by Article 28 (3) of the Constitution; (ii) membership of the Court is to be thrown open to all persons irrespective of religion or caste; (iii) the President of India is to be the Visitor of the University and he shall exercise the same powers as he does now as Lord Rector of the University; (iv) The Governor of Uttar Pradesh will be the Chief Rector of the University and provision is also made for the appointment of other persons as Rectors; (v) provision for a Visiting Board is to be abolished. 3. Advantage is taken of this opportunity to make a few other minor amendments so as to bring this Act into line with the other two Central Acts wherever necessary. 4. The first Statutes which formed part of the Aligarh Muslim University Act, had been considerably amended by the Court, and it is therefore proposed that the Central Government should assume power for a temporary period to make modifications in the Statutes, so as to bring them into accord with the Act, as now amended, and the recommendations of the University Education Commission. 5. Amendments consequential on the recommendations of the University Education Commission have already been undertaken with regard to the Banaras Hindu University Act". -S. O. R.-Gaz. of Ind., 9-6-1951, Pt.II-Sec. 2, page 410. Act 19 of 1965.- On 25th April, 1965 grave disturbances took place in the Aligarh Muslim University Campus in which the University students caused injuries to some members of the Court which was then in session. The Vice-Chancellor who was made the principal target of concentrated attack sustained serious injuries, providentially escaping more dire consequences. The University was indefinitely closed. Enquiries revealed that the disturbances were too well organised to be sporadic and seemed to flow from certain unhealthy influences which for some time had been adversely influencing the efficiency and the academic purposes of the University. After carefully considering the various factors which culminated in the aforesaid disturbances involving violence and closure of the University, Government came to the conclusion that the University could not reopen and resume normal functioning without certain immediate measures being taken to change the administrative setup of the University. As Parliament was not in session at the time and the need for administrative reorganisation was imperative, the President promulgated the Aligarh Muslim University (Amendment) Ordinance, 1965 on the 20th May, 1965. The present Bill seeks to replace the Ordinance by an Act of Parliament. The principal objects of the Bill in the immediate future are (i) to provide an administrative structure within which the University's return to normal functioning and pursuit of basic academic purposes may be facilitated and ensured, and (ii) further to ensure that, as an emergency measure and pending long term legislation about the University to be brought in the near future before Parliament by Government, it makes the transition from chaos to order both brief and smooth. The main features of the Bill are:- (a) the reconstitution of the Court of the University as an advisory body and reduction in the number of its membership; (b) the reconstitution of the Executive Council; (c) vesting of certain powers in the Vice-Chancellor and the Registrar in the matter of discipline. -S.O.R. - Gaz. of Ind., 16-8-1965, Pt. II, S. 2, Ext., p. 638. Act 34 of 1972.- As a result of the disturbances that took place in the Aligarh Muslim University in April, 1965, the President promulgated the Aligarh Muslim University (Amendment) Ordinance, 1965 on the 20th May, 1965 to amend the Aligarh Muslim University Act, 1920. The Ordinance was later replaced by the Aligarh Muslim University (amendment) Act, 1965. Both the Ordinance and the amending Act were temporary measures to tide over the difficult situation which was prevalent in the University at that time and the intention was to bring before Parliament, in the due course, a comprehensive long-term legislation for the University. 2. The proposed long-term legislation could not be introduced on account of certain developments beyond the control of the Government. The intention all along was that the legislation for the Banaras Hindu University and the Aligarh Muslim University should be broadly on similar lines. In the year 1968, there was serious unrest and agitation in the Banaras Hindu University and an Inquiry Committee was appointed by the Visitor. In pursuance of the report submitted by the Inquiry Committee in 1969, short-term legislation to amend the Banaras Hindu University Act was passed by Parliament in 1969. The long-term recommendations of the Committee were still under consideration when the University Grants Commission appointed high powered Committee on Governance of Universities and colleges. It was decided by Government that the report of this Committee should be awaited before introducing long-term legislation for the Banaras Hindu University as well as the Aligarh Muslim University. 3. Meanwhile, the Aligarh Muslim University decided to hold its Golden Jubilee Celebrations in December, 1970. The University was anxious to have a democratic setup before that time. In order to satisfy same and amend certain provisions of the Act with a view to providing for a democratic set-up of the Court and Executive Council of the University. Accordingly the Aligarh Muslim University (Amendment) Bill, 1970 was introduced in the Rajya Sabha on August 31, 1970. 4. The University subsequently decided to postpone its Golden Jubilee Celebrations and the purpose of introduction of the Bill thus having been defeated, the Bill was proceeded with further. It is proposed to withdraw the said Bill. 5. The report of the Gajendragadkar Committee on Governance of Universities was received by Government in July 1971. Recommendations of the Committee were accepted both by the University Grants Commission and Government in principle. It was also decided to amend the Acts of Central Universities in the light of the recommendations made by the Committee. Based on the recommendations of the Committee and taking into account other relevant factors. Government decided to introduce comprehensive legislation for the Aligarh Muslim University. The Bill seeks to achieve this purpose. The main features of the Bill are:- (i) The University is being given additional powers, important among which are: Provision for instruction through correspondence courses or any other method; establishment of special centres and specialised laboratories and such other units for research and education as are necessary for the furtherance of the objects of the University within a radius of 25 kilometres of the University; and appointment of persons working in any other University, institution or organisation as teachers of the University. (ii) In view of the persistent demand for preserving the residential character of the University, the provision in the Act of the University for affiliation of colleges is being deleted. (iii) The mode of appointment of officers of the University is being revised in the light of the recommendations made by the Gajendragadkar Committee. The Chancellor will hereafter be appointed by the visitor out of a panel of names

submitted by the Executive Council instead of being elected by the Court. The Vice-Chancellor will be appointed by the visitor on the recommendation made by the Committee consisting of two nominees of the Executive Council and one nominee of the Visitor. Provision is being made for retirement of the Vice-Chancellor/Pro-Vice-Chancellor on attaining the age of 65 years. The term of the Vice-Chancellor is being reduced from 6 to 5 years with eligibility for re-appointment. (iv) The constitution and functions of the Court, the Executive Council and the Academic Council and other authorities of the University are being revised in the light of the recommendations made by the Gajendragadkar Committee. The Court will hereafter be a "deliberative" body and will not be saddled with the authority to overrule the decisions of the Executive Council and other bodies of the University. It is, however, being vested with powers to review the broad policies, programmes of the University and to suggest measures for its improvement and development. The Court will consist of 104 members, of whom 64 will be internal members and 40 external members. The members of the Court will inter alia include 15 representatives of students. The Executive Council will be the principal executive body of the University and will consist of 19 members, a majority of whom will be teachers of the University. The Academic Council will now have the general supervision over the academic policies of the University and will no longer be concerned with details. The Finance Committee, which was hitherto an authority of the University will now be a sub-committee of the Executive Council. (v) Provision is being made for the establishment of a Students Council as an authority of the University. The Council shall have the power to make recommendations to the University authorities in matters affecting the academic work of the students and about the rules affecting the discipline, welfare, management of hostels, etc. (vi) Each Department will have a Board of Studies which will make recommendations to the Faculty regarding academic matters concerning the Department. Provision is also being made for Departmental Committees in the case of departments having more than twenty teachers. (vii) The powers of the University to make Statutes, Ordinances and Regulations are being enlarged to include matters like manner of appointment of staff, procedure for arbitration and appeal. Associations of teaching and non-teaching staff, participation of students in the affairs of the University, maintenance of discipline etc. (viii) A new provision is being made to enable the aggrieved students to appeal to the Executive Council or to get the disputes referred to a Tribunal of Arbitration. (ix) A provision is being made to protect officers and employees of the University against civil suits in respect of action taken by them in good faith. - S.O.R. Gaz. of Ind., 29-5-1972, Pt. II, S. 2, Ext., p. 567. Act 62 of 1981. - A Bill to amend the Aligarh Muslim University Act, 1920, was introduced in the Lok Sabha on 12th August, 1980, so as to amend the definition of the expression University and introduce various other changes in the Act. Subsequently, representations were received from various Muslim organisations, the Vice-Chancellor and the representatives of the University teachers and students that amendments to the Statutes of the University should also be incorporated in the Bill and passed by Parliament along with the amendments to the Act. After examining these representations, it has been decided to introduce a consolidated Bill to amend both the Act and Statutes of the Aligarh Muslim University, 2. The main features of the Bill are as follows:- (1) Omission of the words "establish and" from the long title and preamble to the Act; (2) Amendment of the definition of the expression "University" occurring in the Act; (3) Empowering the University to promote especially the educational and cultural advancement of the Muslims of India. (4) Restoring the status of the supreme governing body of the University to the Court and modifying its composition; (5) Change in the procedure of appointment of the Chancellor, Pro-Chancellor and Vice-Chancellor; (6) Restoration of the office of the Honorary Treasurer; and (7) Modification of the composition of the Executive Council and the Academic Council. 3. The Bill seeks to achieve the above objects S.O.R. - Gaz. of Ind., 23-12-1980, Pt. II, S. 2, Ext" p. 1384.

1. Short title and commencement :-

- (1) The Chancellor shall be elected by the Court by a simple majority.
- (2) The Chancellor shall hold office for a term of three years and shall be eligible for re-election.
- (3) The Chancellor shall, if present, preside over the meetings of the Court.
- (4) Every proposal for the conferment of an honorary degree shall be subject to confirmation by the Chancellor.

2 \Definitions

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

- (a) "Academic Council" means the Academic Council of the University;
- (b) "Board of Studies" means the Board of Studies of the University;
- (c) "Chancellor", "Pro-Chancellor" and "Vice-Chancellor", mean respectively, the Chancellor, Pro-Chancellor and Vice-Chancellor of the University;
- (d) "Court" means the Court of the University;
- (e) "Department" means a Department of Studies and includes a Centre of Studies established by the Ordinances;
- (f) "Executive Council" means the Executive Council of the University;
- (g) "Faculty" means a Faculty of the University;
- (h) "hall" means a unit of residence or of corporate life maintained by the University for its students;
- 3[(hh) "non-teaching staff" means the employees of the University other than the teachers;]
- (i) "Statutes", "Ordinances" and "Regulations" mean respectively, the Statutes, Ordinances and Regulations of the

University for the time being in force

;

⁴[(j) * * *]

(k) "Teachers" means professors, readers, lecturers and such other persons as may be appointed for imparting instruction in the University or a hall and are designated as teachers by the Ordinances;

⁵ [(l) "University" means the educational institution of their choice established by the Muslims of India, which originated as the Muhammadan Anglo-Oriental College, Aligarh, and which was subsequently incorporated as the Aligarh Muslim University].]

1. See Foot-note [b] under the Schedule.
2. Substituted by the Aligarh Muslim University (Amendment) Act (34 of 1972), S. 3 (17-6-1972).
3. Inserted by the Aligarh Muslim University (Amendment) Act (62 of 1981), S. 3 (10-2-1982).
4. Clause (j) omitted, the Aligarh Muslim University (Amendment) Act (62 of 1981), S. 3 (10-2-1982).
5. Clause (1) substituted, the Aligarh Muslim University (Amendment) Act (62 of 1981), S. 3 (10-2-1982).

3. Incorporation :-

(1) The Vice-Chancellor shall be the ex-officio Chairman of the Court, the Executive Council, the Academic Council and the Finance Committee, and shall, in the absence of the Chancellor and the Pro-Chancellor, preside at the Convocation held for conferring degrees. He shall be entitled to be present at, and to address, any meeting of any authority or other body of the University, but shall not be entitled to vote thereat unless he is a member of such authority or body.

(2) It shall be the duty of the Vice-Chancellor to see that the Act, the Statutes, the Ordinances and the Regulations are duly observed, and he shall have all powers necessary to ensure such observance.

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

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4 \Dissolution of the Muhammadan Anglo-Oriental College, Aligarh and the Muslim University Association, and transfer of all property to the University

. . - From the commencement of this Act-

(i) the Societies known as the Muhammadan Anglo-Oriental College, Aligarh, and the Muslim University Association shall be dissolved, and all property, movable and immovable, and all rights, powers and privileges of the said Societies and all property, movable and immovable, and all rights, powers and privileges of the Muslim University Foundation Committee shall be transferred to and vest in the University and shall be applied to the objects and purposes for which the University is incorporated:

(ii) all debts, liabilities and obligations of the said Societies and Committee shall be transferred to the University and shall thereafter be discharged and satisfied by it;

(iii) all references in any enactment to either of the said Societies or to the said Committee shall be construed as references to the University;

(iv) any will, deed or other document, whether made or executed before or after the commencement of this Act, which contains any bequest, gift or trust in favour either of the said Societies or of the said Committee shall, on the commencement of this Act, be construed as if the University was therein named instead of such Society or Committee;

(v) subject to any orders which the Court may make, the buildings which belonged to the Muhammadan Anglo-Oriental College, Aligarh, shall continue to be known and designated by the names and styles by which they were known and designated immediately before the commencement of this Act;

(vi) subject to the provisions of this Act, every person employed immediately before the commencement of this Act in the Muhammadan Anglo-Oriental College, Aligarh, shall hold employment in the University by the same tenure and upon the same terms and conditions and with the same rights and privileges as to pension and gratuity as he would have held the same under the Muhammadan Anglo-Oriental College, Aligarh, if this Act had not been passed.

5. Powers of the University :-

(1) The Registrar shall be a whole time salaried employee of the University and shall be appointed on the recommendation of a Selection Committee constituted for the purpose.

(2) The emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed by the Ordinances: Provided that the Registrar shall retire on attaining the age of sixty years: Provided further that notwithstanding his attaining the age of sixty years, he shall continue in office until his successor is appointed and enters upon his office.

(3) When the office of the Registrar is vacant or when the Registrar is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the

Vice-Chancellor may appoint for the purpose.

(4)

(a) The Registrar shall have power to take disciplinary action against such of the employees of the University as may be specified in the orders of the Executive Council and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure or the withholding of increment: Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in item (a).

(c) In a case where the inquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor along with his recommendations: Provided that an appeal shall lie to the Executive Council against an order of the Vice-Chancellor imposing any penalty.

(5) The Registrar shall be ex-officio Secretary of the Executive Council, the Academic Council and the Faculties, but shall not be deemed to be a member of any of these authorities. He shall be ex-officio Member-Secretary of the Court.

(6) It shall be the duty of the Registrar,-

(a) to be the custodian of the records, the common seal and such other property of the University as the Executive Council shall commit to his charge;

(b) to issue all notices convening meetings of the Court, Executive Council, Academic Council and Faculties, the Boards of Studies, the Boards of Examiners and of any committees appointed by the authorities of the University;

(c) to keep the minutes of all the meetings of the Court, Executive Council, Academic Council, Faculties and of any committees appointed by the authorities of the University;

(d) to conduct the official correspondence of the Court, Executive Council and Academic Council;

(e) to arrange for and superintend the examinations of the University in accordance with the manner prescribed by the Ordinances;

(f) to supply to the Visitor, copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of the meetings;

(g) to represent the University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings or depute his representative for the purpose; and

(h) perform such other duties as may be specified in these Statutes, or prescribed by the Ordinances or the Regulations or as may be required, from time to time, by the Executive Council or the Vice-Chancellor.

6 \ Recognition of degrees

. . - The degrees, diplomas and other academic distinctions granted or conferred to or on persons by the University shall be recognised by ² [the Central and State Governments] as are the corresponding degrees, diplomas and other academic distinctions granted by any other University incorporated under any enactment.

1. See Foot-note [b] under the Schedule.

2. Substituted for the words "any Government in British India" by A. C. A. O., 1948.

7. Reserve fund :-

(1) Every Dean of a Faculty shall be appointed by the Vice-Chancellor from among the Professors in the Faculty for a period of three years and shall be eligible for reappointment: Provided that a Dean on attaining the age of sixty years shall cease to hold office as such: Provided further that the persons holding office as Principal of the Jawaharlal Nehru Medical College and the Zakir Hussain Engineering College on the commencement of the Aligarh Muslim University (Amendment) Act, 1972, shall continue to hold the office of the Deans of their respective Faculties until the expiry of their term of office.

(2) When the office of the Dean is vacant or when the Dean is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(3) The Dean shall be the Head of the Faculty and shall be responsible for the conduct and maintenance of the standards of teaching and research in the Faculty. He shall have such other functions as may be prescribed by the Ordinances.

(4) The Dean shall have the right to be present and to speak at any meeting of the Board of Studies or committee of the Faculty, as the case may be, but not the right to vote thereat unless he is a member thereof,

8 \ University open to all persons

[. - The University shall be open to all persons (including the teachers and taught) of either sex and of whatever race, religion, creed, caste or class: Provided that nothing in this section shall be deemed to prevent religious instruction being given in the manner prescribed by the

Ordinances to those who have consented to receive it.]

1. See Foot-note [b] under the Schedule.

5. Section 8 substituted by the Aligarh Muslim University (Amendment) Act (62 of 1981), S.5 (10-2-1982).

9. Religious instruction :-

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10 \Residence of students

. .- Every student of the University shall reside either in the Hall¹ [or hostel] or under such conditions as may be prescribed by the Ordinances.

1. Inserted by the Aligarh Muslim University (Amendment) Act (34 of 1972), S. 6 (17-6-1972).

11. Teaching in the University :-

(1) A Provost shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor and shall exercise such powers and perform such duties as may be assigned to him by the Vice-Chancellor.

(2) A Provost shall hold office for a term of two years and shall be eligible for reappointment

,¹

12 \Power to establish and maintain High Schools and other institutions

[. .-

(1) The University shall, subject to the Statutes, have power to establish and maintain High Schools within a radius of fifteen miles from the University Mosque.

(2) The University may also, with the sanction of the Visitor and subject to the Statutes and the Ordinances,² [establish and maintain such Special Centres, Specialised Laboratories or such other institutions for research or instruction as are necessary for the furtherance of its objects either on its own or in co-operation or collaboration with any other institution.]]

1. Substituted for the former S. 12 by the Aligarh Muslim University (Amendment) Act, 1951 (62 of 1951), sections (3-11-1951).

2. Substituted for the words "establish and maintain within the aforementioned limits any other institution whose objects fall within the powers of the University as described in section 5 " by the Aligarh Muslim University (Amendment) Act (34 of 1972), sections (17-6-1972).

12A. a[* * *] :-

Omitted by the Aligarh Muslim University (Amendment) Act (34 of 1972), section 9 (17-6-1972).

13. The Visitor :-

(1) The Librarian shall be appointed by the Executive Council on the recommendation of a Selection Committee constituted for the purpose and shall be a whole-time officer of the University.

(2) The Librarian shall be the¹[Chairman of Department] of Library Science and shall exercise such powers and perform such duties as may be assigned to him by the Executive Council

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14 \The Visiting Board

. .- [Repealed by the Aligarh Muslim University (Amendment) Act, 1951 (62 of 1951), section 11 (3-11-1951).]

15. Chief Rector :-

(1) An annual meeting of the Court shall be held on a date to be fixed by the Executive Council unless some other date has been fixed by the Court in respect of any year. At an annual meeting, a report of the working of the University during the previous year, together with a statement of the receipts and expenditure and the balance sheet, as audited, and the financial estimates for the next year shall be presented and any vacancies among the members of the Executive Council which are to be filled up by the Court shall be filled.

(2) A copy of the statement of receipts and expenditure, the balance sheet and the financial estimates referred to in clause (1) shall be sent to every member of the Court at least seven days before the date of the annual meeting.

¹ (3) One-third of the members of the Court shall form a quorum for a meeting of the Court.]

(4) Special meetings of the Court may be convened by the Executive Council or the Vice-Chancellor, or, if there is no Vice-Chancellor, by the Pro-Vice-Chancellor, or if there is no Pro-Vice-Chancellor by the Registrar: Provided that a special meeting of the Court shall also be called if [one-third of the members] of the Court make a requisition in writing in this behalf.

16 \Officers of the University

. .- The following shall be officers of the University:-

(1) The Chancellor,

(2) The Pro-Chancellor,

(3) The Vice-Chancellor, ¹[*].

²[(4) * * *]

³[(3A) The Pro-Vice-Chancellor, if any;

⁴[(3 B) The Honorary Treasurer;]

⁵⁶[(3C) The Registrar;

⁶[(3D)] The Finance Officer]

⁶[(3E) The Deans of the Faculties; and]

⁹ [(4)] Such other officers as may be declared by the Statutes to be officers of the University.

1. The word and was omitted by the Aligarh Muslim University (Amendment) Act, 1951 (62 of 1951), section 13(3-11-1951).

2. Clause (4) was omitted, by the Aligarh Muslim University (Amendment) Act, 1951, (I I of 1945), section 2.

3. Clauses (3A) to (3D) inserted by the Aligarh Muslim University (Amendment) Act, (62 of 1951), section 13(3-11-1951).

4. Cl. (3B) inserted, (62 of 1981), section 6 (10-2-1982).

5. Clauses (3B) and (3C) substituted, (34 of 1972), section 12 (17-6-1972).

6. Existing clauses (3B), (3C), (3D) renumbered as cls. (3C), (3D), (3E), respectively, .

9. Original cl.(5) renumbered as cl. (4), (II of 1945), section 2.

17. The Chancellor :-

(1) The Executive Council shall have the management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(2) Subject to the provisions of the Act, the Statutes and the Ordinances, the Executive Council shall, in addition to all other powers vested in it, have the following powers, namely:-

(i) to appoint the Registrar, Finance Officer, Librarian, Principals of Colleges and institutions established by the University and such Professors, Readers, Lecturers and other members of the teaching and academic staff as may be necessary, on the recommendation of the Selection Committee constituted for the purpose: Provided that no action shall be taken by the Executive Council in respect of the number, qualifications and the emoluments of teachers, without consideration of the recommendations of the Academic Council;

(ii) to appoint members of the administrative staff;

(iii) to grant leave of absence to any officer of the University, other than the Chancellor, and the Vice-Chancellor, and to make the necessary arrangements for the discharge of the functions of such officer during his absence;

(iv) to regulate and enforce discipline among members of the teaching, administrative and other staff of the University in accordance with these Statutes and the Ordinances;

(v) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University, and for that purpose, to appoint such agents as it may think fit;

(vi) to invest any money belonging to the University including any applied income, in such stocks, funds, shares or securities as it shall, from time to time, think fit, or in the purchase of immovable property in India, with the like power of varying such investments from time to time;

(vii) to transfer or accept transfers of any movable or immovable property on behalf of the University;

(viii) to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;

(ix) to enter into, vary, carry of and cancel contracts on behalf of the University;

(x) to entertain, adjudicate upon, and, if thought fit, to redress any grievances of the officers of the University, the teaching staff, the students and the Universitys servants, who may, for any reason feel aggrieved;

(xi) to appoint examiners and moderators and, if necessary to remove them, and to fix their fees, emoluments and travelling and other allowances, after consulting the Academic Council;

(xii) to maintain a register of donors to be University;

(xiii) to select a common seal for the University and provide for the custody and use of such seal;

(xiv) to make such special arrangements as may be necessary for the residence and discipline of women students;

(xv) to delegate any of its powers to the Vice-Chancellor, Pro-Vice-Chancellor, the Registrar or the Finance Officer or such other employee or authority of the University or to a Committee appointed by it as it may deem fit;

(xvi) to institute fellowships, scholarships, studentships, medals and prizes; and

(xvii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by the Act or the Statutes.

1

18 \The Pro-Chancellor.

[. -

4 [(1) The Pro-Chancellor shall be elected by the Court in such manner and for such term as may be prescribed by the Statutes.

(2) The Pro-Chancellor shall, in the absence of the Chancellor preside over the convocations of the University held for conferring degrees.]

1. See Foot-note [b] under the Schedule.

3. Substituted for former section by the Aligarh Muslim University (Amendment) Act (34 of 1972), section 14(17-6-1972).

4. Substituted for sub-section (1), by the Aligarh Muslim University (Amendment) Act (62 of 1981), section 8(10-2-1982).

19. The Vice-Chancellor :-

Subject to the Act, the Statutes and the Ordinances, the Academic Council shall, in addition to all other powers vested in it, have the following powers, namely :-

(a) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instruction, co-operative teaching among colleges, evaluation of research or improvements in academic standards;

(b) to bring about inter-faculty co-ordination, to establish or appoint committees or Boards, for taking up projects on an inter-faculty basis;

(c) to consider matters of general academic interest either at its own initiative or referred to by a faculty, or the Executive Council and to take appropriate action thereon; and

(d) to frame such regulations and rules consistent with the Statutes and Ordinances regarding the academic functioning of the University, discipline, residence, admissions, award of fellowships and studentships, fee concessions, corporate life and attendance.

1

20 \The Pro-Vice-Chancellor

[. - The Pro-Vice-Chancellor shall be appointed in such manner, and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

1. See Foot-note [b] under the Schedule.

2. See F. N. under section 20C.

20A. The Honorary Treasurer :-

(1) The Honorary Treasurer shall be elected by the Court in such manner and for such term as may be prescribed by the Statutes.

(2) The Honorary Treasurer shall exercise such powers and perform such functions as may be prescribed by the Statutes.]

20B. The Registrar :-

]. -

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

(2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

20C. The Finance Officer :-

]. - The Finance Officer shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.]

21. Powers of other officers :-

In addition to the powers and functions of the Faculties prescribed under the Ordinances, they shall have power-

(a) to co-ordinate teaching and research activities of Departments and Centres assigned to the Faculty, and to promote and provide for inter-disciplinary teaching and research; and to arrange for examinations and periodical tests in subjects falling within the purview of the faculty;

(b) to appoint Boards of Studies or committees or to undertake research projects common to more than one Department;

(c) to approve courses of study proposed by the Departments;

(d) to forward to the Executive Council the recommendations of the Boards of Studies or Committee for Advanced Studies and Research;

(e) to propose the draft of Ordinances for the examinations for courses conducted by the Faculty;

(f) to recommend proposals for the creation and abolition of teaching posts; and

(g) to perform such other functions as the Executive Council and Academic Council may prescribe.

1

22 \Authorities of the University

. . - The following shall be the authorities of the University:-

(1) The Court,

(2) The Executive Council,

(3) The Academic Council, ¹[*] ²[(3A) The Finance Committee,]

(3B) The Faculties, ^C [and]

[(3C) x x x]

(4) Such other authorities as may be declared by the Statutes to be authorities of the University.

1. The word and was omitted by the Aligarh Muslim University (Amendment) Act, 1951 (62 of 1951), section 16(3-11-1951).

2. Cl. (3A) and the word "and" inserted, (62 of 1981), section 11 (10-2-1982).

[c] Cl. (3C) omitted, (62 of 1981), section 11 (10-2-1982)

23. The Court :-

(1) Each teaching department, where the number of teachers exceeds twenty shall have a Departmental Committee consisting of the following members, namely.-

(i) Head of the Department-Chairman;

(ii) Dean of the Faculty concerned;

(iii) Professors in the Department;

(iv) Four Readers in the Department by rotation according to seniority; and

(v) Four Lecturers in the Department by rotation according to seniority.

(2) The Readers and Lecturers shall hold office as members of the Departmental Committee for a period of two years.

(3) The functions of the Departmental Committee shall be to allocate teaching work, recommend the creation or abolition of teaching posts or their upgrading, make recommendations regarding the field of study of each post at the time of recruitment and consider matters of general and academic interest to the Department and of its functioning.

(4) Where the number of teachers in a teaching Department does not exceed twenty, the functions of the Departmental Committee shall be performed by that Department.

1

24 \The Executive Council

. . - The Executive Council shall be ¹ [the principal executive body] of the University. Its constitution and the term of office of its members and its powers and duties shall be prescribed by the Statutes.

1. Substituted for words "the executive body" by the Aligarh Muslim University (Amendment) Act (34 of 1972) section 20 (17-6-1972).

25. The Academic Council :-

x x x]

26 \Other authorities of the University

. . - The constitution, powers ¹ [and functions of the Finance Committee and of the Faculties] and of such other authorities as may be declared by the Statutes to be authorities of the University, shall be prescribed by the Statutes.

1. Substituted for the words "and functions of the faculties and of the students Council" by the Aligarh Muslim University (Amendment) Act (62 of 1981), section 13 (10-2-1982).

26A. Disqualifications for membership :-

A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University if he is not a citizen of India.]

27. Power to make Statutes. :-

(1) The Selection Committee for appointment to the posts specified in column (1) of the Table below shall consist of the Vice-Chancellor, the Pro-Vice-Chancellor, a nominee of the Visitor and the persons specified in the corresponding entry in column (2) of the said Table: Provided that where the appointment of a teacher is to be made in a College or the University Polytechnic, the Principal of that College or the University Polytechnic, as the case may be, shall also be an ex-officio member of the Selection Committee constituted for such appointment: Provided further that the Selection Committee for teaching posts in the Faculty of Engineering and Technology shall include a nominee of the All India Council of Technical Education. TABLE¹Chairman of the Department] concerned, if he is a Professor, \ \ \ (ii) One Professor of the Department to be nominated by the Vice- \ \ \ Chancellor. \ \ \ (iii) Three persons not in the service of the University, nominated by the \ \ \ Executive Council, out of a panel of names recommended by the \ \ \ Academic Council for their special knowledge of or interest in the \ \ \ subject with which the Professor will be concerned. Reader/ Lecturer \ \ (i) The ¹[Chairman of the Department] concerned. \ \ \ (ii) One Professor of the Department to be nominated by the Vice- \ \ \ Chancellor, \ \ \ (iii) Two persons not in the service of the University, nominated by the \ \ \ Executive Council, out of a panel of names recommended by the \ \ \ Academic Council for their special knowledge of or interest in the \ \ \ subject with which the Reader or Lecturer will be concerned. Registrar/ Finance \ (i) Two members of the Executive Council nominated by it. Officer \ \ \ \ (ii) One person, not connected with the University, nominated by the \ \ \ Executive Council. Librarian \ \ \ (i) Two persons not in the service of the University, who have special \ \ \ knowledge of the subject of Library Science/Library Administration \ \ \ to be nominated by the Executive Council. \ \ \ (ii) One person, not in the service of the University, nominated by the \ \ \ Executive Council. Principal of College \ Three persons not in the service of the University, of whom two shall be or Institution main- \ nominated by the Executive Council and one by the Academic tained by the Uni- \ Council for their special knowledge of or interest in a subject in versity \ \ which instruction is being provided by the College or Institution.

(2) The Vice-Chancellor, or in his absence, the Pro-Vice-Chancellor, shall preside at the meetings of the Selection Committee.

(3) The meetings of the Selection Committee shall be convened by the Vice-Chancellor or in his absence, by the Pro-Vice-Chancellor.

(4) The procedure to be followed by a Selection Committee in making recommendations shall be laid ,i down in the Ordinances.

(5) If the Executive Council is unable to accept the recommendations made by the Committee, it shall record its reasons and submit the case to the Visitor for final orders.

(6) Notwithstanding anything contained in the foregoing clauses of this Statute or Statute 29, the Executive Council may invite a person of high academic distinction and professional attainment to accept a post of Professor or Reader in the University, as the case may be, on such terms and conditions as it deems fit, and on the person agreeing to do so, appoint him to the post.

(7) The Executive Council of the University may appoint a teacher or any other academic staff working in any other University or institution for undertaking a joint project in accordance with the manner prescribed in the Ordinances. Note I.- Where the appointment is being made for an inter-disciplinary project, the Head of the project shall be deemed to be the ¹(Chairman of the Department] concerned. Note 2.- The Professor shall be concerned with the speciality for which the selection is being made and that the Vice-Chancellor shall consult the ¹[Chairman of the Department] and the Dean of Faculty before nominating the Professor.

5

28 \Statutes.

[. -

(1) On the commencement of the Aligarh Muslim University (Amendment) Act, 1981, the Statutes in force immediately before such commence- ment, as amended by that Act, shall be the Statutes of the University.

(2) After the commencement of the Aligarh Muslim University (Amendment) Act, 1981, the Court may, notwithstanding anything contained in sub-section (1), make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1) in the manner hereinafter provided in this section.

(3) The Executive Council may propose to the Court the draft of any Statute for its consideration and such draft shall be considered by the Court at its next meeting: Provided that the Executive Council shall not propose the draft of any Statute or of any amendment of a Statute affecting the Status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing upon the proposal and any opinion so expressed shall be considered by the Court.

(4) The Court may approve any such draft as is referred to in sub-section (3) or reject it or return it to the Executive Council for reconsideration, either in whole or in part, together with any amendments which the Court may suggest.

(5) Any member of the Court may propose to the Court, the draft of any Statute and the Court may reject the proposal or refer such draft for consideration to the Executive Council which may either reject the proposal or

submit the draft to the Court in such form as the Executive Council may approve and the provisions of this section shall apply in the case of any draft so submitted as they apply in the case of a draft proposed by the Executive Council.

(6) No new Statute or amendment or addition or repeal of any Statute shall come in to force unless it is approved by the Visitor, who may sanction or disallow it, or return it for further consideration.]

1. Substituted for section 28 by the Aligarh Muslim University (Amendment) Act (62 of 1981), section 16 (10-2-1982).

29. Power to make Ordinances. :-

(1) All the teachers of the University or any of its Institutions shall, in the absence of any agreement to the contrary, be governed by the terms and conditions of service as specified in the Statutes, Ordinances and Regulations of the University: Provided that no alteration in the salary, the rate of contribution to the Provident Fund and the age of superannuation of teacher in the service of the University shall be made to his disadvantage except with the previous approval of the Visitor.

(2)

(a) All appointments to permanent posts of teachers in the University shall be made by the Executive Council on the recommendation of a Selection Committee in accordance with the provisions of these Statutes after such posts have been duly advertised and the candidates concerned have been interviewed by the Selection Committee, except in cases where such Committee decides to consider the case of a candidate otherwise than by an interview. Except as otherwise provided for in his contract of service, every teacher thus selected shall be placed on probation for a period of one year, on the expiry of which period he may be confirmed in his post. If he is not so confirmed, the Executive Council may, if it deems fit, dispense with his services after the expiry of his probationary period as may be practicable or extend the period of his probation for one year at the end of which, if he is not confirmed in his post, his services shall be dispensed with after the expiry of the period of extension of his probation: Provided that, if a person in the permanent service of the University is appointed on probation to a higher post in the same department, he shall not lose his lien on his substantive post, nor shall he be deprived of the benefits of leave rules and of the Provident Fund Statutes to which he was entitled at the time of his appointment to the higher post during the period of his probation: Provided further that the service of a teacher appointed on probation may be terminated at any time during the probationary period by giving two months notice without assigning any reason.

(b) In making temporary appointments to posts of teachers-

(i) if the temporary vacancy is for a duration longer than one academic session, it shall be filled on the advice of the Selection Committee in accordance with the procedure indicated in the preceding item (a) and

(ii) if the temporary vacancy is for a period less than a year, an appointment to such vacancy shall be made on the recommendation of a local Selection Committee consisting of:-

(A) The Dean of the Faculty;

(B) The ¹[Chairman of the Department;] and

(C) A nominee of the Vice-Chancellor:

¹[Chairman of the Department] concerned, make a temporary appointment for a month and report to the Vice-Chancellor and the Registrar about such appointment.

(c) No teacher appointed temporarily shall, if he is not recommended by a regular Selection Committee for appointment under these Statutes be continued in service on such temporary employment, or even a fresh appointment unless he is subsequently selected by a local Selection Committee or a Regular Selection Committee, for a temporary or permanent appointment, as the case may be.

(3) Every teacher of the University shall be ordinarily appointed on a written contract, the form of which shall be prescribed by Regulations. A copy of the contract shall be deposited with the Registrar.

(4) No teacher of the University shall be confirmed in his post unless he has fulfilled the conditions laid down in the contract of his appointment and unless the Vice-Chancellor on the recommendation of the Dean of the faculty and ¹[Chairman of the Department] concerned, and in the case of the ¹[Chairman of Department,] on the recommendation of the Dean concerned, testifies to his fitness for confirmation.

(5) All temporary teachers whose total service in the University exceeds one year shall be required within two months of the completion of one year to produce a physical fitness certificate signed by a registered Medical Graduate, not below the status of a Civil Surgeon, provided that if the physical fitness examination is conducted at the University Health Service, the certificate signed by the Chief Medical Officer shall be deemed to be sufficient.

(6) Teachers appointed on probation and those in whose case probation has been waived shall be required to produce a physical fitness certificate of the nature prescribed in clause (5) before joining their appointment: Provided that nothing in this clause shall apply to such teachers who are already holding a permanent post in the University,

(7) Teachers holding temporary appointments shall not be confirmed in their posts unless they produce a physical

fitness certificate as required in the foregoing clauses.

(8) No fee shall be charged if the physical fitness examination is conducted at the University Health Service.

(9) All the teachers of the University shall, if they are not employed for a fixed period, retire at the age of sixty. The Executive Council may, however, in the interests of the University grant extension of service up to the age of sixty-three subject to the condition that such extension shall not be for more than one year at a time: Provided that the teachers whose retirement is due on the 1st of September or a later date in any academic year inclusive of such leave preparatory to retirement as may be due to them may be retained at their option in the service of the University till the end of the academic year,

(10)

(a) A teacher due for retirement shall apply well before the date of retirement for such leave as may be due to him before retirement, and if he fails to so apply, he shall not be entitled to avail of the leave after retirement. Leave so applied for may be sanctioned, or refused in the interests of the University. If leave is so refused, the leave due shall be availed of after retirement.

(b) All recommendations for extension of service beyond sixty years shall be sent to the Registrar by the Head of the Department through the Dean of the Faculty concerned or by the Dean of the Faculty if such recommendation is concerned the ¹[Chairman of a Department,] at least six months before the date of retirement.

(11) Notwithstanding anything contained in the foregoing clauses of this Statute, the University may permit any Professor or Reader to accept, concurrently on a part-time basis, appointment in any University or Institution on such terms and conditions as may be prescribed in the Ordinances.

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30 \30

[. ** *]

1. See F. N. [a] under section 29.

31. Regulations :-

(1) The Executive Council may, by resolution passed by a majority of not less than two-thirds of the members present and voting:-

(a) on the recommendation of Academic Council, make proposals to the Chancellor for the conferment of honorary degrees;

(b) withdraw any ordinary degree or diploma conferred by the University; and

(c) with the sanction of the Chancellor, withdraw any honorary degree.

(2) Notwithstanding anything contained in clause (1), in cases of urgency, the Chancellor may, on the recommendations of the Executive Council alone, confer an honorary degree.

32 \Admission to the University

. . - [Repealed by the Aligarh Muslim University (Amendment) Act, 1951 (62 of 1951), section 23 (3-11-1951).]

33. Examinations :-

(1) There shall be a Teachers Association for the University.

(2) The constitution of the Association shall be such as may be prescribed in the Ordinances.

34 \Annual Reports.

[. -

(1) The Annual Report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or after such date as may be prescribed by the Statutes and the Court shall consider the Report in its annual meeting.

(2) The Court shall submit the Annual Report to the Visitor and also to the Chancellor along with its comments, if any.]

² [(3) A copy of the annual report as submitted to the Visitor shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.]

1. Substituted for S. 34 by the Aligarh Muslim University (Amendment) Act (34 of 1972), section 26 (17-6-1972),
2. Inserted, (62 of 1981), section 19 (10-2-1982)

35. Annual accounts :-

(1) All powers relating to discipline and disciplinary action in relation to students shall vest in the Vice-Chancellor.

(2) The Vice-Chancellor may delegate all or any of his powers as he deems proper to the Proctor and to such other officers as he may specify in this behalf.

(3) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action in the interest of maintaining discipline as may seem to him appropriate, the Vice-Chancellor may, in the exercise of his powers, by order, direct that any student or students be expelled, or rusticated, for a specified period, or be not admitted to a course or courses of study in a College, Department or Institution of the University for a stated period, or be punished with fine or an amount to be specified in the order, or be debarred from taking a University or College or Departmental Examination or Examinations for one or more years, or that the results of the student or students concerned in the Examination or Examinations in which he or they have appeared be cancelled.

(4) The Principals of Colleges, Heads of Special Centres, Deans of Faculties and Heads of Teaching Departments in the University shall have the authority to exercise all such disciplinary powers over the students in their respective Colleges, Special Centres, Institutions, Faculties and Teaching Departments in the University as may be necessary for the proper conduct of the Institution, Special Centres and teaching in the concerned Departments,

(5) Without prejudice to the powers of the Vice-Chancellor and the Proctor as aforesaid, detailed rules of discipline and proper conduct shall be framed by the University, The Principals of Colleges, Heads of Special Centres, Deans of Faculties and Heads of Teaching Departments in the University may frame such supplementary rules, as they deem necessary for the aforesaid purposes. Every student shall be supplied with a copy of rules so made,

(6) At the time of the admission, every student shall be required to sign a declaration to the effect that he submits himself to the disciplinary jurisdiction of the Vice-Chancellor and the other authorities of the University.

1

36 \ Conditions of service of officers and teachers

..-

(1) Every [employee] of the University shall be appointed on a written contract, which shall be lodged with the University and a copy of which shall be furnished to the [employee] concerned.

(2) Any dispute arising out of a contract between the University and any of its [employees] shall at the request of the [employee] concerned, be referred to a Tribunal of Arbitration consisting one member appointed by the Executive Council, one member nominated by the [employee] concerned and an umpire appointed by the . [Visitor]. The decision of the Tribunal shall be final, and no suit shall lie in any Civil Court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1899, and all the provisions of that Act, with the exception of Section 2 thereof, shall apply accordingly.

36A. Procedure of appeal and arbitration in disciplinary cases against students :-

(1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examinations of the University for more than a year, may, within ten days of the date of receipt of such order or copy of such resolution by him, appeal to the Executive Council and the Executive Council may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.

(2) Any dispute arising out of any disciplinary action taken by the University against a student shall at the request of such student, be referred to a Tribunal of Arbitration and the provisions of sub-section (2) of section 36 shall, as far as may be, apply to the reference made under this sub-section.

36B. Right to appeal :-

Every employee or student of the University shall, notwithstanding anything contained in this Act, have a right to appeal, within such time as may be prescribed by the Statutes, to the Executive Council against the decision of any officer or authority of the University and thereupon the Executive Council may confirm, modify or reverse the decision appealed against.]

37. Provident and pension funds :-

Convocations of the University for the conferring of degrees or for other purposes shall be held in such manner as may be prescribed by the Ordinances.

38 \ Filling of casual vacancies

..-

¹[(1) * * * *].

(2) ²[* * *] ³[* *] casual vacancies in ⁴[any office or in any authority] shall be filled by the authority which has power to appoint to the office or authority; ⁵ [* * * *]

1. Sub-section (1) was omitted by the Aligarh Muslim University (Amendment) Act, 1951 (62 of 1951), section 28.

2. Words "subject to the provisions of sub-section (3) of Section 18" omitted, by the Aligarh Muslim University (Amendment) Act (34 of 1972), section 30 (17-6-1972).

3. The word "other" was omitted, (62 of 1951), section 28.

4. Substituted for the words "any office of any authority".

5. Words provided that when the Court is the appointing authority the casual vacancy shall be filled by the

Executive Council, and the person so appointed shall hold office till the next meeting of the Court were omitted by the Aligarh Muslim University (Amendment) Act, 1965 (19 of 1965), section 8 (22-9-1965).

39. Proceedings of University authorities not invalidated by vacancies :-

(1) Any member, other than an ex-officio member of the Court, Executive Council, Academic Council or any other authority of the University or any committee of such authority may resign by letter addressed to the Registrar, and the resignation shall take effect as soon as such letter is received by the Registrar.

(2) Any officer of the University, whether salaried or otherwise, other than Dean, may resign his office by letter addressed to the Registrar: Provided that such resignation shall take effect only on the date from which the same is accepted by the authority competent to fill the vacancy.

40 \Protection of action taken in good faith

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

1. Inserted by the Aligarh Muslim University (Amendment) Act (34 of 1972), section 31 (17-6-1972).

41. Mode of proof of University record :-

Notwithstanding anything contained in these Statutes, no person who is not ordinarily resident in India shall be eligible to be an officer of the University or a member of any authority of the University.

42 \Appointment of Pro-Vice-Chancellor not obligatory

. . - [Repealed by the Aligarh Muslim University (Amendment) Act, 1945 (II of 1945), section 7 (4-9-1945)].

SCHEDULE

THE STATUTES OF THE UNIVERSITY

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Section3	Powers and duties of the Vice-Chancellor
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Section4A	Honorary Treasurer
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.	
Section9	x x x
Section10	Dean of Students Welfare
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