

BANARAS HINDU UNIVERSITY ACT, 1915

16 of 1915

[1st October, 1915]

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Act 55 of 1951.- "The University Education Commission, while making certain recommendations in regard to University education generally, have also dealt with certain special problems relating 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 Government of India, after careful consideration of the matter, have decided that while it is not necessary to change the names of the Benaras 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 the other recommendations of the University Education Commission, in so far as they relate to the Central Universities, should be implemented as far as possible. As the first step in the direction, it is now proposed to amend the Banaras Hindu 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 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) a section is to be inserted on the lines of the other two University Acts, specifying the powers of the University generally: (iv) The President of India is to be the Visitor of the University and he shall exercise the same power": in relation to this University as he does as Lord Rector in relation to the Aligarh Muslim University: (v) The Governor of Uttar Pradesh, who is now the Visitor will henceforth be the Chief Rector of the University and provision is also made for the appointment of other persons as Rectors; (vi) the

present Council will become the Executive Council of the University, while the Senate and the Syndicate will be merged in the Academic Council. (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. Amendments consequential on the recommendation"; of the university education commission will also be undertaken with respect to the other two Acts in due course (4) The First Statutes which formed part of the Banaras Hindu University 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."-Gaz. of Ind. 5-5-1951, Pt. II-Sec. 2, page 322. Act 34 of 1958.- "On receipt of reports indicating a serious state of affairs prevailing at the Banaras Hindu University the President as the Visitor of the University, appointed in July, 1967, a Committee to enquire' into the state of affairs at the University. The Committee commencing its sittings on the 31st July. 1957. submitted its report in April. 1958. The report revealed certain disquieting features and unhealthy influences which had been undermining the discipline of the University, According to the Committee, the personal of the Executive Council itself had been", to a large extent responsible for the prevailing state of affairs in the University. After giving very careful consideration to the observations and recommendations made by the Committee, the Government of India came to the conclusion that it was necessary to reconstitute the Executive Council and the Courts as to put an end to existing malpractices and improve the day-to-day working and administration of the University, and that these measures should be undertaken immediately in view of the reopening of the University in July. 1958. As Parliament was not in session at that time, the President promulgated the Banaras Hindu University (amendment) Ordinance 1958, on the 14th June. 1958. The present Bill seeks in the main to replace the Ordinance by an Act of Parliament. 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 as a compact body; (c) the provision for a Selection Committee for making recommendations to the Executive Council in respect of appointments to the posts of Professor. Reader, Lecturer and Registrar in the University: (d) the provision

for a Screening Committee to examine the cases, of all persons who. on the 14th June. 1958. were holding teaching, administrative or other posts in the University in respect of whom there is reason to believe that their continuance in office would be detrimental to the interests of the University."-Gaz. of India. 2-5-1958, Pt. II, Sec. 2, Extra, p. 742. Act 82 of 1966.- The report of Banaras Hindu University Enquiry Committee appointed by the President, in his capacity as the Visitor of the University, to enquire into the state of affairs of the University had revealed certain disquieting features and un-healthy influences which had been undermining the discipline of the University. On a preliminary consideration of the recommendations of the Committee, the President promulgated the Banaras Hindu University (Amendmen) Ordinance, 1958 on the 14th June. 1958 to amend the Banaras Hindu University Act. 1915. The Ordinance was later replaced by the Banaras Hindu University (Amendment) Act, 1958. 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 due course a comprehensive long term legislation for the University after detailed examination of the various recommendations of the Enquiry Committee. The recommendations have been examined in consultation with the authorities concerned and the present Bill seeks to amend the Banaras Hindu University Act. 1915 for the purpose of embodying the long time legislative proposals for the better working of the University. 2. The main features of the Bill are:-- (a) With a view to emphasising the residential nature of the Banaras Hindu University, it is proposed that the University should not in future affiliate any college or institution maintained by other agencies. Provision in this regard has been made in clause 14 of the Bill without in any way affecting the rights and privileges of colleges and institutions already affiliated to the University. (b) The Court is proposed to be made the supreme authority of the University with powers - (i) to review from time to time the broad policies and programmes of the University, (ii) to suggest general measures for the improvement and development of the University: (iii) to review the acts of other authorities of the University such as Executive Council and Academic Council, except where such authorities have acted in accordance with the powers conferred by or under the Act. The Court will also consider the annual report, annual accounts and the budget of the University and can approve the budget with or without modifications. Care has, however, been taken to see that

the Court will not interfere with the Executive Council.' in the day to day administration of the University. (c) The Court itself will be reconstituted. It will be a compact body consisting of 83 members half of whom will be from the University and the remaining half from outside the University, with a view to ensuring the balance between the two elements. (d) The Reviewing Committee set up under the Banaras Hindu University (Amendment) Ordinance, 1958 [replaced by the Banaras Hindu University (Amendment) Act, 1958] to inquire into the cases of the persons who on the 14th day of June, 1958 were holding any teaching, administrative or other post in the University and whose continuance in office was considered detrimental to the interests of the University will stand abolished, the work of the Committee having been completed. (e) The Standing Committee of the Academic Council is also abolished and its functions are being restored to the Academic Council. (f) The term of office of the Vice-Chancellor is six years and he is not eligible for reappointment. It is now proposed to reduce the term to five years but the Vice-Chancellor will be eligible for reappointment for a second term. (g) The Vice-Chancellor will be empowered to expel any student from the University if such a course according to his opinion is necessary for the maintenance of discipline in the University after observing the principles of natural justice (h) The offices of the Provost and Chief Rector have been abolished but there will be a Rector and this office will be held by the Governor of Uttar Pradesh. (i) The Treasurer of the University will hereafter be a whole-time salaried officer. (j) Provision has been made for the University to borrow money with the approval of the Central Government.

3. Opportunity is also being taken - (a) to strengthen the provisions relating to the arbitration of disputes arising out of contracts between the University and any of its officers or teachers; (b) to ensure the presence of a nominee of the Visitor in every Selection Committee charged with the duty of selecting officers of the University.-Gaz. of Ind., 1-10-1964, Pt. II, S. 2, Ext., P. 729. Act 34 of 1969.- In December, 1968, the President in his capacity as the Visitor of the Banaras Hindu University appointed a Committee under the Chairmanship of Dr. P. B. Gajendragadkar to inquire into the state of unrest and agitation in the University and to make recommendation for remedying the situation. The Committee which submitted its report to the Visitor in the second week of July, 1969 has made two sets of recommendations. The first set is directed to help to introduce in the University campus an atmosphere of normalcy so as to enable the University to pursue its

legitimate functions without disturbance and disruption, violence or intimidation. The other set of recommendations are of a long range character and envisage a comprehensive reform Of the structure and functioning of the University with special reference to the maintenance of its nil India character. 2. For immediate implementation, the recommendation made by the Committee is that the Act under which the University is at present administered should be amended in certain respects. The present bodies including the Standing Committee of the Academic Council responsible for the administration of the University should be dissolved and appropriate step", taken to provide for a nominated Executive Council and a nominated Court and a new Vice-Chancellor. 3. The principal object of the Bill is to implement the first set of recommendations of the Inquiry Committee sn that University's return to smooth functioning and pursuit of basic academic purposes may be facilitated. 4. 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 membership: (b) the reconstitution of the Executive Council and the Finance Committee; (c) the abolition of the Standing Committee of the Academic Council: (d) change in the method of selection of the Vice-Chancellor and reduction in his term of office: and (e) change in the term of office of the Rector.-Gaz. of Ind., 12-8-1969. Part II, S.2, Ext., P. 817.

1. Short title and commencement :-

In these Statutes,-

(a) "Act" means the Banaras Hindu University Act, 1915;

(b) all words and expressions used herein and defined in the Act shall have the meanings respectively assigned to them in the Act.

2 \Definitions

[. In this Act, unless the context otherwise requires,-

(a) "Academic Council" means the Academic Council of the University.

(b) "college" means a college or-teaching institution (other than a secondary, primary or infant school or pathasala) maintained by, or admitted to the privileges of, the University;

(c) "Court" means the University Court;

- (d) "Executive Council" means the University Executive Council;
- (e) "Faculty" means a Faculty of the University;
- (f) "Ordinances" means the Ordinances of the University for the time being in force;
- (g) "Regulations" means the Regulations of the University for the time being in force;
- (h) "Statutes" means the Statutes of the University for the time being in force;
- (i) "teacher" means a salaried professor, reader, lecturer or tutor who imparts instruction in a Faculty of, or in a college maintained by, the University and includes any other person who is declared to be a teacher by the Academic Council;
- (j) "University" means the Banaras Hindu University.]

1. Substituted for the original section by Banaras Hindu University (Amendment) Act (52 of 1966), S. 2 (31-12- 1966).

3. Incorporation :-

(1) The Rector shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor : Provided that where the recommendation of the Vice-Chancellor is not accepted by the Executive Council, he may recommend any other person to the Executive Council and if it does not accept that recommendation also. the Vice-Chancellor shall forward the names of both the persons aforesaid to the Visitor and the Visitor may appoint either of them or direct the Vice-Chancellor to recommend any other person to the Executive Council.

(2) The Rector shall be a whole-time salaried officer of the University.

1[(3) The Rector shall hold office for only so long as the Vice-Chancellor on whose recommendation he was appointed holds office and he shall be eligible for reappointment : Provided that notwithstanding the expiry of the term of his office, the Rector shall continue in office until his successor is appointed and enters upon his office.]

(4) The emoluments and other terms and conditions of service of the Rector shall be prescribed by the Ordinances.

(5) The Rector shall assist the Vice-Chancellor in all matters and shall also exercise such powers and perform such duties as may be delegated to him by the Vice-Chancellor.

(6) Where the Vice-Chancellor is the Chairman of any board or committee appointed under Statute 26 and he is absent for any reason whatsoever from any meeting of such board or committee, the Rector shall preside over such meeting.

(7) The Rector shall be entitled to be present at and to address any meeting of any authority or board or committee of the University but shall not be entitled to vote thereat unless he is a member of such authority or board or committee.

4 \University open to all classes, castes and creeds

[The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted therein, as a teacher or student, or to hold any office therein, or to graduate thereat, or to enjoy or exercise any privilege thereof, except in respect of any particular benefaction accepted by the University, where such test is made a condition thereof by any testamentary, or other instrument creating such benefaction: Provided that nothing in this section shall be deemed to prevent religious instruction being given in the manner prescribed by the Ordinances³ [to those who, of, in the case of minors, whose parents or guardians have given their consent thereto in writing.]]

1. Words 'the Standing Committee of' omitted by the Banaras Hindu University (Amendment) Act (34 of 1969) S.12 (5-9-19 69).

2. Substituted for Sections 4, 5 and 6 by the Banaras Hindu University (Amendment) Act (55 of 1951), S.3 (3-11-1951).

3. Substituted for the words "to those who have consented to receive it" by the Banaras Hindu University (Amendment) Act (52 of 1966), S. 4 (31-12-1966).

4A. Powers of the University :-

The University shall have the following powers, namely:-

(1) to provide for instruction in such branches of learning as the University may think fit, and to make provision for research and for the advancement and dissemination of knowledge;

¹[(2) to promote the study of religion, literature, history, science and art of Vedic, Hindu, Buddhist, Jain, Islamic, Sikh, Christian, Zoroastrian and other civilisations and cultures;

(3) to hold examinations and to grant diplomas and certificates, and confer degrees and other academic distinctions to and on persons-

- (a) who shall have pursued a course of study in the University or in a college and passed the examination or who shall have carried on research work in the manner prescribed by the Ordinances, or
- (b) who are teachers of the University or any college under conditions laid down in the Statutes or the Ordinances and shall have passed the examinations of the University under like conditions, or
- (c) who, being women, shall have pursued a course of private study in subjects provided for by the Ordinances and shall have passed the examinations of the University in their subjects under conditions laid down in the Ordinances;]
- (4) to confer honorary degrees or other distinctions in the manner laid down in the Statutes;
- (5) to grant such diplomas ²[or certificates] to, and to provide such lectures and instruction for, persons not being members of the University as the University may determine;
- ³[(5A.) to withdraw degrees, diplomas, certificates and other academic distinctions;]
- (6) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine,
- (7) to institute professorships, readerships, lectureships and other teaching posts required by the University and to appoint persons to such professorships, readerships and lectureships and other posts;
- (8) to institute and award fellowships (including travelling fellowships), scholarships, studentships, exhibitions and prizes in accordance with the Statutes and the Ordinances;
- (9) to institute and maintain halls and hostels and to recognise places of residence for students of the University:
- ⁴[(9A) to institute, establish, maintain, reconstitute, amalgamate, divide or abolish departments, faculties or colleges and carry out inspection thereof and inquiry in relation thereto;]
- (10) to demand and receive such fees and other charges as may be prescribed by the Ordinances;
- (11) to supervise and control the residence and to regulate the discipline of students of the University, and to make arrangements

for promoting their health ⁵[and welfare.]

(12) to make special arrangements in respect of the residence, discipline, and teaching of women students;

⁶[(12A) to regulate and enforce discipline among salaried officers, teachers and other employees of the University in accordance with the Statutes and Ordinances;]

(13) to create administrative, -ministerial and other necessary posts and to make appointments thereto; ⁷[*]

⁷ [(13A) to acquire, hold, manage and dispose of property, movable or immovable, including trust or endowed property, for the purposes of the University;

(13B) with the approval of the Central Government, to borrow on the security of the property of the University, money for the purpose of the University;]

(14) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.]

1. Substituted for sub-cis, (2) and (3) by the Banaras Hindu University (Amendment) Act (52 of 1966), S. 5(a) (31-12-1966).

2. Added by the Banaras Hindu University (Amendment) Act (52 of 1966), S. 5(b).

3. Inserted, by the Banaras Hindu University (Amendment) Act (52 of 1966), S. 5(c),

4. Inserted, by the Banaras Hindu University (Amendment) Act (52 of 1966), S. 5(d).

5. Inserted, by the Banaras Hindu University (Amendment) Act (52 of 1966), S. 5(e).

6. Inserted, by the Banaras Hindu University (Amendment) Act (52 of 1966). S. 510.

7. Word 'and' omitted and new sub-els. (13A) and (13B) inserted, by the Banaras Hindu University (Amendment) Act (52 of 1966), S. 5(g) and (h).

5. Visitor :-

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

(2) When the office of the Finance Officer is vacant or when the Finance Officer is, by reason of illness or absence for any other

cause, unable to perform the duties of his officer, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(3) The Finance Officer shall-

(a) exercise general supervision over the funds of the University and shall advise it as regards its financial policy; and

(b) perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by these Statutes or the Ordinances : Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding Rs. 10.000 without the previous approval of the Executive Council.

(4) Subject to the control of the Executive Council, the Finance Officer shall-

(a) hold and manage the property and investments including trust and endowed property for furthering any of the objects of the University;

(b) see that the limits fixed by the Finance Committee for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted:

(c) be responsible for the preparation of annual accounts and the budget of the University for the next financial year and for their presentation to the Executive Council;

(d) keep a constant watch on the state of the cash and bank balances and on the state of investments:

(e) watch the progress of collection of revenue and advise on the methods of collection employed:

(f) have the accounts of the University regularly audited by an internal audit party:

(g) see that the registers of buildings, land and equipment are maintained up-to-date and that the stock-checking is conducted of equipments and other consumable materials in all offices and colleges, and in the Public Works Department and Workshop stores;

(h) call for explanation for unauthorised expenditure and for other financial irregularities and suggest disciplinary action against the

persons at fault:

(i) call for from any office or institution under the University any information or returns that he may consider necessary to discharge his financial responsibilities.

(5) The receipt of the Finance Officer or of the person or persons duly authorised in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for the same.

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6 \Officers of the University

[. The following shall be the officers of the University, namely:-

(a) the Chancellor,

(b) the Vice-Chancellor,

(c) the Rector,

(d) the Registrar,

(e) the Finance Officer,

(f) the Deans of Faculties,

(g) the Dean of Students,

(h) the Librarian,

(i) the Chief Proctor,

(j) such other persons in the service of the University as may be declared by the Statutes to be the officers of the University.]

1. Sections 6 to 7C were substituted for the original Sections 6 and 7 by the Banaras Hindu University (Amendment) Act (52 of 1966), S. 7 (31-12-1966).

7. Chancellor :-

(1) The Dean of Students shall be appointed, from amongst employees of the University who are or who have been teachers of the University not below the rank of Reader, by the Executive Council on the recommendation of the Vice-Chancellor: the Dean shall be a whole-time employee of the University, shall hold office for a term of three years and shall be eligible for reappointment.

(2) The person who is appointed as the Dean of Students shall continue to hold his lien on his substantive post and shall continue to subscribe to the University Provident Fund.

(3) When the office of the Dean of Students is vacant or when the Dean of Students is, by reason of illness or absence for 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) The duties and powers of the Dean of Students shall be regulated by the Ordinances.

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8 \ Powers and duties of officers, terms of office and filling of casual vacancies

Subject to the provisions of this Act, the powers and duties of ¹ [the other officers of the University,] the term for which they shall hold office, and the filling up of casual vacancies in such offices, shall be provided for by the Statutes.

1. Substituted for the words "the officers of the University" by the Banaras Hindu University (Amendment) Act (52 of 1966), S. 10(31-12-1966).

8A. Authorities of the University :-

The following shall be the authorities of the University, namely:-

(a) the Court.

(b) the Executive Council,

(c) the Academic Council,

1 [(d) * * * * *]

(e) the Finance Committee,

(f) the Faculties,

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

1. Clause (d) omitted by the Banaras Hindu University (Amendment) Act (34 of 1969), S. 4 (5-9-1969).

9. The Court :-

(1) There shall be a Dean for each Faculty; the head of each of the Departments within the Faculty, who is a Professor, shall, by

rotation according to seniority, act as the Dean of the Faculty for a period of two years : Provided that, in any Faculty,-

(i) if there is no Professor, the senior-most Reader shall act as the Dean, and

(ii) if there is no Professor or Reader, the Vice-Chancellor shall act as the Dean.

(2) The dean shall be the Chairman of the Faculty and shall be responsible for the due observance of these Statutes, the Ordinances and the Regulations relating to the Faculty.

(3) The Dean shall be responsible for the organisation and conduct of teaching and research work in the departments comprised in the Faculty.

(4) The Dean shall exercise such other powers and perform such other functions and duties as may be assigned to him by the Executive Council or the Vice-Chancellor.

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10 \Executive Council

[.

(1) The Executive Council shall, subject to the control of the ² [visitor] be the executive body of the University and shall have charge of 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 this Act, the Executive Council shall exercise such other powers and perform such other duties as may be conferred or imposed on it by the Statutes or the Ordinances'.]

1. S. 10 substituted by the Banaras Hindu University (Amendment) Act (52 of 1966). S. 10 (31-12-1966).

2. Substituted for the word 'Court' by the Banaras Hindu University (Amendment) Act (34 of 1969), S.6 (5-9-1969).

11. The Academic Council :-

Notice of meetings of the Court shall be issued by the Secretary at least thirty days before the date of the meeting with an agenda paper, and no business which does not arise out of matters noted or mentioned in the agenda paper shall be considered unless the consent of at least two-thirds of the members of the Court present

at the meeting be obtained thereto.

12 \Omitted

[. Omitted by the Banaras Hindu University (Amendment) Act (34 of 1969),S. 7 (5-9-69).]

12A. Other authorities :-

Subject to the provisions of the this Act, the functions, powers and duties of the other authorities of the University shall be provided for by the Statutes.

12B. Disqualifications :-

(1) A person shall be disqualified for being chosen as. and for being a member of any of the authorities of the University-

(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;

(b) if he is an undischarged insolvent;

(c) if he has been convicted by a Court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months.

(2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in sub-section (1), the question shall be referred for the decision of the Visitor and his decision shall be final, and no suit or other proceeding shall lie in any Court of law against such decision.]

13. Audit of accounts :-

A notice of twenty-one days of any special meeting of the Court stating generally the nature of the business to be transacted shall be sent to each member of the Court, and no such meeting shall be competent to transact any business other than that mentioned in the notice or directly arising out of it; any member desiring to send a proposal relating to the nature of the business specified in the notice shall send such proposal to the Secretary so as to reach him at least ten days before the date of the meeting.

14 \Permanent reserve to cover recurring charges

. The University shall invest, and keep invested, in securities in which trust funds may be invested, in accordance with the provisions of the law relating to trusts in ¹[India], a sum of ²[forty-five lakhs of rupees] as a permanent endowment to meet the recurring charges of the University other than charges in respect of scholarships, prizes and rewards: Provided that.-

(1) any Government securities, as defined by GOVERNMENT SECURITIES ACT, 1330 ,³[1920] which may be held by the University shall, for the purpose of this section, be reckoned at their face-value, and

(2) ⁴[the aforesaid sum of forty-five lakhs shall be reduced by such sum as, at the commencement of the Banaras Hindu University (Amendment) Act, 1966] the Central Government shall, by order in writing, declare to be the total capitalised value, for the purposes of this section-

(a) of all permanent recurring grants of money which have been made to the University ⁵ [by any Ruler of an Indian State] and

(b) of the total income accruing from immovable property which has been transferred to the University.

1. Substituted for the words "the States" by the Banaras Hindu University (Amendment) Act, (55 of 1951), S. 10 (3-11-1951).

2. Substituted for the words 'fifty lakhs of rupees' by the Banaras Hindu University (Amendment) Act, (52 of 1966), S. 14(a) (31-12-1966).

3. Substituted for the figures 1886', by the Banaras Hindu University (Amendment) Act. S. 14(b)(i).

4. Substituted for the words "the aforesaid sum of fifty lakhs shall be reduced by such sum as, at the commencement of this Act, by the Banaras Hindu University (Amendment) Act, S. 14(b)(ii)(A).

5. Substituted for the words 'by any Indian Prince or Chief, by the Banaras Hindu University (Amendment) Act, S. 14(b)(ii)(b).

15. Maintenance and admission to privileges of Colleges :-

Subject to the provisions of the Act, these Statutes and the Ordinances, the Executive Council shall, in addition to any other powers vested in it. have the following powers, namely:-

(i) to appoint, from time to time. such Professors. Readers, Lecturers and other members of the teaching staff as may be necessary, on the recommendation of the Selection Committee constituted for the purpose, and to provide for filling temporary vacancies therein:

(ii) to fix the emoluments and define the duties and conditions of service of Professors. Readers, Lecturers and other members of the teaching staff: Provided that no action shall be taken by the Executive Council in respect of the number, the qualifications and the emoluments of teachers otherwise than after consideration of the recommendation of the Academic Council:

(iii) to appoint the Registrar, the Dean of Students, the Chief Proctor, the Librarian and other salaried officers and staff of the University and to fix their emoluments and define their duties and conditions of service;

(iv) 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:

(v) to invest any money belonging to the University, including any unapplied 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 powers of varying such investments from time to time:

(vi)

(a) to accept on behalf of the University any trust, bequest, donation or transfer of any movable or immovable property to the University: and

(b) to transfer any movable property on behalf of the University;

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

(viii) to enter into, vary: carry out and cancel contracts on behalf of the University:

(ix) to entertain, adjudicate upon. and if it thinks fit, to redress, any grievances of the salaried officers of the University, the teaching staff and other employees of the University who may for any reason feel aggrieved : Provided that. in matters of discipline and punishment, where the final power has been vested in the Vice-Chancellor or any other officer of the University, no appeal shall lie to the Executive Council:

(x) to appoint examiners and moderators and. if necessary, to remove them, and to fix their fees. emoluments and travelling and other allowances after considering the recommendations of¹[* * * * *] the Academic Council,

(xi) to maintain registers of registered graduates and of registered donors to the University;

(xii) to select a common seal for the University, and provide for the

custody and use of the seal:

(xiii) to manage Departments. Institutions of Research or Specialised Studies, Special Centres, Laboratories, Museums and Hostels Managed by the University:

(xiv) to arrange for and direct the inspection of Colleges. Departments, Institutions, Special Centres and Hostels and to issue instructions for maintaining their efficiency and ensuring proper conditions of employment for members of their staff:

(xv) to make arrangements, from time to time, for periodical assessment of the work of the teachers of the University:

(xvi) to institute fellowships including travelling fellowships, scholarships, studentships, medals and prizes:

(xvii) to direct the conduct of examinations conformity with the Ordinances and the publication of the results thereof:

(xviii) to delegate any of its powers to the Vice-Chancellor, the Registrar or such other officer of the University or to a Committee appointed by it as it may deem fit.

16 \Recognition of degrees

. The degrees, diplomas, certificates and other academic distinctions granted by the University, shall be recognised by ¹[the Central and State Governments] to the same extent and, in the same manner as the corresponding degrees, diplomas, certificates and other academic distinctions granted by any other University incorporated by ² [a Central Act].

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

2. substituted for the words "an Act of the Central Legislature" by A.I.,O., 1950.

16A. Pension or Provident Fund :-

The University shall constitute for the benefit of its officers, teachers and other ¹[employees] such pension or provident fund ² [or provide such insurance scheme] as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.]

1. Substituted for the word "servants" by the Banaras Hindu University (Amendment) Act, (52 of 1966), S. 16 (31-12-1966).

2. Inserted, by the Banaras Hindu University (Amendment) Act, (55 of 1951), S. 12 (3-11-1951).

16B. Conditions of service of officers and teachers :-

(1) Every salaried officer and teacher of the University shall be appointed under a written contract, which shall be lodged with the University and a copy of which shall be furnished to the officer or teacher concerned.

(2) Any dispute arising out of a contract between the University and any of its officers or teachers shall, at the request of the officer or teacher concerned or at the instance of the University, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or the teacher concerned and an umpire appointed by the Visitor.

(3) The decision of the Tribunal of Arbitration shall be final and shall not be questioned in any Court of law.

(4) No suit or proceeding shall lie in any Court of law in respect of any matter which is required by sub-section (2) to be referred to the Tribunal of Arbitration.

(5) The Tribunal of Arbitration shall have power to regulate its own procedure.

(6) Nothing contained in any law for the time being in force relating to arbitration shall apply to arbitrations under this section.

16C. Proceedings not to be invalidated by vacancies, etc. :-

No act or proceedings of any authority or board or committee of the University shall be invalid merely by reason, of-

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

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

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

16D. Protection of action taken in good faith :-

No suit, prosecution or other legal proceeding shall lie against any officer, teacher or other employee of the University for anything which is in good faith done or intended to be done by him under this Act or the Statutes or the Ordinances or the Regulations.]

17. Statutes :-

(1) The Academic Council! shall consist of the following members,

namely:-

(i) The Vice-Chancellor.

(ii) The Deans of Faculties.

(iii) The Heads of Teaching Departments.

(iv) All Professors who are not Heads of Teaching Departments.

(v) The Librarian.

(vi) The Dean of Students.

(vii) Chief Proctor.

(viii) Two Readers and four Lecturers by rotation according to seniority.

(ix) The Principal, Women's College, and, if there are two or more Women's Colleges, the Principals.

(x) All Principals of colleges admitted to the privileges of the University.

(xi) Not more than five persons, not being employees of the University, co-opted by the Academic Council for their specialised knowledge

(2) All members of the Academic Council, other than ex officio members shall hold office for a term of three years : Provided that a member co-opted in his capacity as a member of a particular board or committee or as the holder of a particular post shall hold office so long as he continues to be a member of that board or committee or the holder of that post.

(3) Twenty-five members of the Academic Council shall form the quorum.

1

18 \ Ordinances

[.

(1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely :-

(a) the admission of students to the University and their enrolment

as such;

(b) the courses of study to be laid down for all degrees, diplomas and certificates of the University;

3[(c) the qualifications for admission to courses of study for degrees, diplomas, certificates and other academic distinctions and to examinations of the University and the award of degrees, diplomas, certificates and other academic distinctions;]

(d) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;

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

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

[(ff) the remunerations and allowances to examiners, moderators and other persons engaged in the business of the University;]

(g) the maintenance of discipline among the students of the University;

(h) the conditions of residence of students at the University;

(i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students, and the prescribing for them of special courses of study;

(j) the giving of religious instruction;

(k) the emoluments and the terms and conditions of service of **4**[employees] of the University;

(l) the management of colleges and other institutions founded or maintained under sub-section (1) of section 15 ;

5[(II) the meetings of any board or committee that may be set up under this Act or the Statutes, the quorum at such meetings and the procedure to be followed in the conduct of their business;]

(m) the supervision and inspection of colleges and other institutions admitted to privileges of the University under sub-section (2) of section 15 : **6**[* *]

7 [(mm) the powers and duties of teachers and salaried officers and the powers which may be delegated to them;

(mmm) the conditions and qualifications for the registration of graduates;]

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

(2) The Regulations of the University as in force immediately before the commencement of the Banaras Hindu University (Amendment) Act, 1951 shall be deemed to be the first Ordinances made under this section.

(3) The said Ordinances may be amended, repeated or added to at any time by the Executive Council; **8** [Provided that no Ordinance shall be made-

(a) regarding the recognition of examinations of other Universities and institutions as equivalent to the University examinations, or

(b) affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examinations or of any course of study,

(4) The Executive Council shall not have power to amend any draft proposed by the Academic Council under the provisions of subsection (3) but may reject the proposal or return the draft to the Academic Council for reconsideration, either in whole or in part, together with any amendments which the Executive Council may suggest.

9 [(5) Where the Executive Council has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may appeal to the Visitor who may pass such order thereon as he thinks fit.

(6) All Ordinances made by the Executive Council shall be submitted, as soon as may be, to the Visitor who may disallow any such Ordinance or remit it to the Executive Council for further consideration.

(7) The Visitor may, by order, direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his power of disallowance, and any order of suspension

under this sub-section shall cease to have effect on the expiration of one month from the date of such order.]

1. Words 'the Standing Committee of' omitted by the Banaras Hindu University (Amendment) Act (34 of 1969) S.12 (5-9-19 69).
2. Substituted for sections 18 and 19 by the Banaras Hindu University (Amendment) Act, (55 of 1951), S. 14 (3-11-51).
3. Clause (c) of sub-section (1) substituted by the Banaras Hindu University (Amendment) Act, (32 of 1966), S.19(a) (31-12-1966).
4. Substituted for the word 'teachers', by the Banaras Hindu University (Amendment) Act.
5. Inserted, by the Banaras Hindu University (Amendment) Act.
6. Word 'and' omitted, by the Banaras Hindu University (Amendment) Act.
7. Inserted, by the Banaras Hindu University (Amendment) Act.
8. Substituted for the original proviso, by the Banaras Hindu University (Amendment) Act, S. 19(b).
9. Substituted for former sub-sections (5), (6), (7) and (8). by the Banaras Hindu University (Amendment) Act, (34 of 1969), S. 10 (5-9-69).

19. Power to make Regulations :-

(1) The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances-

(a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;

(b) providing for all matters which by this Act, the Statutes or the Ordinances are to be prescribed by Regulations, and

(c) providing for all matters solely concerning such authorities or committees appointed by them and not provided for by this Act, the Statutes or the Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings and for the keeping of a record of the proceedings of meetings.

(3) The Executive Council may direct the amendment, in such manner as it may specify, of any Regulation made under this section or the annulment of any such Regulation : ¹[Provided that any authority of the University which is dissatisfied with any such direction may, within two months of the date of such direction, appeal to the ² ['Visitor'] whose decision thereon shall be final.]

1. Proviso, inserted by the Banaras Hindu university (Amendment) Act. (52 of 1966). S. 20 (31-12-1966).
2. Substituted for the word 'Court' by the Banaras Hindu University (Amendment) Act. (34 of 1969), S. 1 1 (5-9-1969).

19A. Constitution of boards and committees :-

Where any authority of the University is given power by this Act or by the Statutes to appoint boards or committees, such board or committee shall, unless there is some special provision to the contrary, consist of members of the authority concerned and of such other persons (if any) as the authority in each case may think fit.]

20. Dissolution and transfer of property of the Hindu University Society :-

(1) From the commencement of this Act. the Hindu University Society shall be dissolved, and all property, movable and immovable, and all rights, powers, and privileges of the Hindu University Society which, immediately before the commencement of this Act. belonged to. or were vested in, the said Society, shall vest in the University, and shall be applied to the objects and purposes for which the University is incorporated.

(2) From the commencement of this Act. all debts and liabilities of the said Society shall be transferred and attached to the University, and shall thereafter be discharged and satisfied by the University.

(3) 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 of the Central Hindu College or the said Society shall, on the commencement of this Act, be construed as if the University were therein named instead of the said College or Society

SCHEDULE 1

THE STATUTES OF THE UNIVERSITY

1. Definitions :-

2. Emoluments, terms and conditions of service of the Vice-Chancellor :-

(1) There shall be paid to the Vice-Chancellor a salary of two thousand five hundred rupees per mensem and he shall be entitled, without payment of rent. to use a furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor

personally in respect Of the maintenance of such residence.

(2) The Vice-Chancellor shall not be entitled to the benefits of the University Provident Fund or to any other allowance: Provided that where an employee of the University is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the Provident Fund and the contribution of the University shall be limited to what he had been contributing immediately before his appointment as Vice-Chancellor.

(3) The Vice-Chancellor shall be entitled to travelling allowances at such rates as may be fixed by the Executive Council.

(4) The Vice-Chancellor shall be entitled to leave on full pay for one-eleventh of the period spent by him on acting service.

(5) The Vice-Chancellor shall also be entitled, on medical grounds or otherwise than on medical grounds, to leave without pay for a period not exceeding three months during the term of his office : Provided that such leave may be converted into leave on full pay to the extent to which he will be entitled to to leave under Clause (4).

3. Rector :-

(1) The Rector shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor : Provided that where the recommendation of the Vice-Chancellor is not accepted by the Executive Council, he may recommend any other person to the Executive Council and if it does not accept that recommendation also. the Vice-Chancellor shall forward the names of both the persons aforesaid to the Visitor and the Visitor may appoint either of them or direct the Vice-Chancellor to recommend any other person to the Executive Council.

(2) The Rector shall be a whole-time salaried officer of the University.

1 [(3) The Rector shall hold office for only so long as the Vice-Chancellor on whose recommendation he was appointed holds office and he shall be eligible for reappointment : Provided that notwithstanding the expiry of the term of his office, the Rector shall continue in office until his successor is appointed and enters upon his office.]

(4) The emoluments and other terms and conditions of service of the Rector shall be prescribed by the Ordinances.

(5) The Rector shall assist the Vice-Chancellor in all matters and shall also exercise such powers and perform such duties as may be delegated to him by the Vice-Chancellor.

(6) Where the Vice-Chancellor is the Chairman of any board or committee appointed under Statute 26 and he is absent for any reason whatsoever from any meeting of such board or committee, the Rector shall preside over such meeting.

(7) The Rector shall be entitled to be present at and to address any meeting of any authority or board or committee of the University but shall not be entitled to vote thereat unless he is a member of such authority or board or committee.

1. Words 'the Standing Committee of' omitted by the Banaras Hindu University (Amendment) Act (34 of 1969) S.12 (5-9-19 69).

4. Registrar :-

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

(2) When the office of the Registrar is vacant or when the Registrar is, by reason of illness or absence for 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 Registrar shall be the ex officio Secretary of the Court, the Executive Council, the Academic Council, ¹ [** * * *] the Selection Committees and the Faculties, but shall not be deemed to be a member of any of these authorities.

(4) The Registrar shall-

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

(b) issue under the direction of the Vice-Chancellor all notices convening meetings of the Court, the Executive Council, the Academic Council. [* * * * *]the Selection Committees, the Faculties, the Boards of Studies, the Boards of Examiners, the Boards of Moderators and of the committees appointed by the authorities of the University:

(c) maintain the minutes of all meetings of the court, the Executive Council, the Academic Council.[* * * * *]the Selection Committees, the Faculties, and of the committees appointed by the authorities of the University:

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

(e) control the conduct of examinations and all other arrangements necessary therefor and the execution of all processes connected therewith;

(f) supply to the Visitor copies of the agenda of meetings of the authorities of the University as soon as they are issued and the minutes of the meetings of the authorities ordinarily within a month of the holding of the meetings:

(g) in an emergency, when neither the Vice-Chancellor nor the Rector is able to do, call a meeting of the Executive Council forthwith and take its directions for carrying on the work of the University;

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

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

(5)

(a) The Registrar shall have power to take disciplinary action against the employees belonging to the ministerial, subordinate-executive and Class IV services and to suspend them pending enquiry, administer warnings to them or impose on them the penalty of censure or the withholding of increment : Provided that no such penalty shall be imposed until the employee 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 the penalty of the withholding of increment.

(c) In a case where the enquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, upon

conclusion of the enquiry, make a report to the Vice-Chancellor along with his recommendations, and the decision of the Vice-Chancellor thereon shall be final: Provided that an appeal shall lie to the Executive Council against the order of the Vice-Chancellor imposing the penalty of dismissal.

1. Words 'the Standing Committee of' omitted by the Banaras Hindu University (Amendment) Act (34 of 1969) S.12 (5-9-19 69).

5. Finance Officers :-

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

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

(3) The Finance Officer shall-

(a) exercise general supervision over the funds of the University and shall advise it as regards its financial policy; and

(b) perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by these Statutes or the Ordinances : Provided that the Finance Officers shall not incur any expenditure or make any investment exceeding Rs. 10.000 without the previous approval of the Executive Council.

(4) Subject to the control of the Executive Council, the Finance Officer shall-

(a) hold and manage the property and investments including trust and endowed properly for furthering any of the objects of the University;

(b) see that the limits fixed by the Finance Committee for recurring and non-recurring expenditure lot a year are not exceeded and that all moneys are expended on the purposes for which they arc granted or allotted:

(c) be responsible for the preparation of annual accounts and the budget of the University for the next financial year and for their presentation to the Executive Council;

(d) keep a constant watch on the state of the cash and bank balances and on the state of investments:

(e) watch the progress of collection of revenue and advise on the methods of collection employed:

(f) have the accounts of the University regularly audited by an internal audit party:

(g) see that the registers of buildings, land and equipment are maintained up-to-date and that the stock-checking is conducted of equipments and other consumable materials in all offices and colleges, and in the Public Works Department and Workshop stores;

(h) call for explanation for unauthorised expenditure and for other financial irregularities and suggest disciplinary action against the persons at fault:

(i) call for from any office or institution under the University any information or returns that he may consider necessary to discharge his financial responsibilities.

(5) The receipt of the Finance Officer or of the person or persons duly authorised in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for the same.

6. Librarian :-

(1) The Librarian shall be a whole-time salaried officer appointed by the Executive Council on the recommendation of a Selection Committee constituted for the purpose and shall possess such qualifications as may be prescribed by the Executive Council.

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

(3) The duties and powers of the Librarian shall be regulated by the Ordinances.

7. Dean of Students :-

(1) The Dean of Students shall be appointed, from amongst employees of the University who are or who have been teachers of

the University not below the rank of Reader, by the Executive Council on the recommendation of the Vice-Chancellor: the Dean shall be a whole-time employee of the University, shall hold office for a term of three years and shall be eligible for reappointment.

(2) The person who is appointed as the Dean of Students shall continue to hold his lien on his substantive post and shall continue to subscribe to the University Provident Fund.

(3) When the office of the Dean of Students is vacant or when the Dean of Students is, by reason of illness or absence for 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) The duties and powers of the Dean of Students shall be regulated by the Ordinances.

8. Chief Proctor :-

(1) The Chief Proctor shall be a person not below the rank of Reader of the University, shall be appointed by the Executive Council from amongst the teachers of the University 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) The Chief Proctor shall hold office for a term of two years and shall be eligible for reappointment for a second term.

(3) When the office of the Chief Proctor is vacant or when the Chief Proctor is, by reason of illness or absence for 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.

9. Deans of Faculties :-

(1) There shall be a Dean for each Faculty; the head of each of the Departments within the Faculty, who is a Professor, shall, by rotation according to seniority, act as the Dean of the Faculty for a period of two years : Provided that, in any Faculty,-

(i) if there is no Professor, the senior-most Reader shall act as the Dean, and

(ii) if there is no Professor or Reader, the Vice-Chancellor shall act

as the Dean.

(2) The dean shall be the Chairman of the Faculty and shall be responsible for the due observance of these Statutes, the Ordinances and the Regulations relating to the Faculty.

(3) The Dean shall be responsible for the organisation and conduct of teaching and research work in the departments comprised in the Faculty.

(4) The Dean shall exercise such other powers and perform such other functions and duties as may be assigned to him by the Executive Council or the Vice-Chancellor.

10. The Court :-

(1) The Court shall consist of the following members, namely :-

(a) the Chancellor, ex officio,

(b) the members of the Executive Council, ex officio,

(c) three persons, being Heads of Departments of Studies or Principals of Colleges of the University, nominated by the Visitor,

(d) two persons, being Professors from Departments of Studies or Colleges of the University, nominated by the Visitor,

(e) two persons from among teachers of the University, other than Professors, nominated by the Visitor.

(f) three representatives of Parliament, two to be nominated by the Speaker of the Lok Sabha from among the members (hereof and one to be nominated by the Chairman of the Rajya Sabha from among the members thereof, and

(g) thirty persons nominated by the Visitor from among persons who are men of standing in public life or have special knowledge or practical experience in education or have rendered eminent services in the cause of education.

(2) Seventeen members of the Court shall form the quorum.

(3) All members of the Court, other than ex officio members, shall hold office for a term of three years.]

11. Notice of meeting :-

Notice of meetings of the Court shall be issued by the Secretary at least thirty days before the date of the meeting with an agenda

paper, and no business which does not arise out of matters noted or mentioned in the agenda paper shall be considered unless the consent of at least two-thirds of the members of the Court present at the meeting be obtained thereto.

12. Notice of proposals or amendments :-

Every member who intends to bring forward any special business at a meeting of the Court or to propose any person for election as Chancellor shall give notice of such business or of the name of the person to be proposed to the Secretary at least twenty days before the date appointed for such meeting: and every member who intends to propose an amendment shall give notice thereof to the Secretary ten days before the date fixed for the meeting.

13. Notice of special meeting :-

A notice of twenty-one days of any special meeting of the Court stating generally the nature of the business to be transacted shall be sent to each member of the Court, and no such meeting shall be competent to transact any business other than that mentioned in the notice or directly arising out of it; any member desiring to send a proposal relating to the nature of the business specified in the notice shall send such proposal to the Secretary so as to reach him at least ten days before the date of the meeting.

14. The Executive Council :-

(1) The Executive Council shall consist of the following members, namely :-

(a) the Vice-Chancellor, ex officio,

(b) eight persons nominated by the Visitor.

(2) Five members of the Executive Council shall form the quorum.

(3) The members of the Executive Council shall hold office for a term of three years.]

15. Powers of the Executive Council :-

Subject to the provisions of the Act, these Statutes and the Ordinances, the Executive Council shall, in addition to any other powers vested in it. have the following powers, namely:-

(i) to appoint, from time to time. such Professors. Readers, Lecturers and other members of the teaching staff as may be necessary, on the recommendation of the Selection Committee

constituted for the purpose, and to provide for filling temporary vacancies therein:

(ii) to fix the emoluments and define the duties and conditions of service of Professors, Readers, Lecturers and other members of the teaching staff: Provided that no action shall be taken by the Executive Council in respect of the number, the qualifications and the emoluments of teachers otherwise than after consideration of the recommendation of the Academic Council:

(iii) to appoint the Registrar, the Dean of Students, the Chief Proctor, the Librarian and other salaried officers and staff of the University and to fix their emoluments and define their duties and conditions of service;

(iv) 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:

(v) to invest any money belonging to the University, including any unapplied 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 powers of varying such investments from time to time:

(vi)

(a) to accept on behalf of the University any trust, bequest, donation or transfer of any movable or immovable property to the University: and

(b) to transfer any movable property on behalf of the University;

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

(viii) to enter into, vary: carry out and cancel contracts on behalf of the University:

(ix) to entertain, adjudicate upon. and if it thinks fit, to redress, any grievances of the salaried officers of the University, the teaching staff and other employees of the University who may for any reason feel aggrieved : Provided that. in matters of discipline and punishment, where the final power has been vested in the Vice-Chancellor or any other officer of the University, no appeal

shall lie to the Executive Council:

(x) to appoint examiners and moderators and, if necessary, to remove them, and to fix their fees, emoluments and travelling and other allowances after considering the recommendations of¹ [* * * * *] the Academic Council,

(xi) to maintain registers of registered graduates and of registered donors to the University;

(xii) to select a common seal for the University, and provide for the custody and use of the seal:

(xiii) to manage Departments, Institutions of Research or Specialised Studies, Special Centres, Laboratories, Museums and Hostels Managed by the University:

(xiv) to arrange for and direct the inspection of Colleges, Departments, Institutions, Special Centres and Hostels and to issue instructions for maintaining their efficiency and ensuring proper conditions of employment for members of their staff:

(xv) to make arrangements, from time to time, for periodical assessment of the work of the teachers of the University:

(xvi) to institute fellowships including travelling fellowships, scholarships, studentships, medals and prizes:

(xvii) to direct the conduct of examinations conforming with the Ordinances and the publication of the results thereof:

(xviii) to delegate any of its powers to the Vice-Chancellor, the Registrar or such other officer of the University or to a Committee appointed by it as it may deem fit.

1. Words 'the Standing Committee of' omitted by the Banaras Hindu University (Amendment) Act (34 of 1969) S.12 (5-9-1969).

16. Contracts :-

The Executive Council shall, from time to time, appoint such person or persons as it may think proper, either by virtue of office or by name, to enter into, execute and sign contracts for and on behalf of the University, and to present them for registration according to the law in force for the time being.

17. Academic Council :-

(1) The Academic Council shall consist of the following members,

namely:-

- (i) The Vice-Chancellor.
 - (ii) The Deans of Faculties.
 - (iii) The Heads of Teaching Departments.
 - (iv) All Professors who are not Heads of Teaching Departments.
 - (v) The Librarian.
 - (vi) The Dean of Students.
 - (vii) Chief Proctor.
 - (viii) Two Readers and four Lecturers by rotation according to seniority.
 - (ix) The Principal, Women's College, and, if there are two or more Women's Colleges, the Principals.
 - (x) All Principals of colleges admitted to the privileges of the University.
 - (xi) Not more than five persons, not being employees of the University, co-opted by the Academic Council for their specialised knowledge
- (2) All members of the Academic Council, other than ex officio members shall hold office for a term of three years : Provided that a member co-opted in his capacity as a member of a particular board or committee or as the holder of a particular post shall hold office so long as he continues to be a member of that board or committee or the holder of that post.
- (3) Twenty-five members of the Academic Council shall form the quorum.

18. Powers, duties and functions of the Academic Council :-

Subject to the provisions of the Act, the Academic Council shall, in addition to all other powers vested in it, have the following powers, duties and functions, namely : -

- (i) to report on any matter referred to it by ¹ [* * * * *] the Executive Council:
- (ii) to make recommendations to the Executive Council with regard to the creation of teaching posts in the University and the colleges,

and the classification of the said posts and the emoluments and duties attaching thereto:

(iii) to formulate, modify or revise schemes for the organisation of. and assignment of subjects to. Faculties and to report to the Executive Council as to the expediency of the abolition, reconstitution or division of any Faculty or the amalgamation of one or more Faculties;

(iv) to promote research within the University and to require, from time to time, reports on such research;

(v) to consider proposals submitted by the Faculties;

(vi) to recognise diplomas and degrees of other Universities and institutions and to determine their equivalent diplomas and degrees of the Banaras Hindu University;

(vii) to make special arrangements, if any, for the teaching of women students and for prescribing for them special courses of study, after consulting the Advisory Board of Women's Education;

(viii) to make such arrangements for the instruction and examination of persons, not being members of the University, as may be necessary;

(ix) to recommend to the Executive Council the rates of fees and charges;

(x) to make proposals to the Executive Council for the establishment of Colleges, Departments, Institutions of Research and Specialised Studies, Special Centres, Libraries, Laboratories and Museums:

(xi) to make proposals to the Executive Council for the institution of fellowships, travelling fellowships, scholarships, studentships, medals and prizes;

(xii) to recommend to a he Executive Council draft Ordinances regarding examinations of the University and the conditions on which students should be admitted to such examinations and the working, maintenance and use ofthe University Library;

(xiii) to maintain proper standards of examination;

(xiv) to constitute a Council of Students' Affairs consisting of such number of teachers and students as may be Prescribed by the

Ordinances to advise the Academic Council on matters relating to the welfare of the students of the University,

[(xv) to fix, subject to any conditions accepted by the Executive Council, the time, mode and conditions and competition for fellowships, scholarships and other prizes and to award the same;

(xvi) to conduct examinations in conformity with the Ordinances and to fix dates for holding them;

(xvii) to declare the results of the various University examinations, or to appoint committees or officers to do so, and to make recommendations regarding the conferment or grant of degrees, honours, diplomas, certificates, titles and marks of honour,

(xviii) to award stipends, scholarships, medals, prizes and to make awards in accordance with the Ordinances and such other conditions as may be attached to the awards;

(xix) to make recommendations to the Executive Council in regard to the appointment of examiners, and if necessary, their removal and the fixation of their fees, emoluments and the travelling and other allowances and the appointment of Boards of Examiners and Moderators;

(xx) to appoint, whenever necessary. Inspectors or Boards of Inspectors for inspecting colleges and institutions applying for admission to the privileges of the University;

(xxi) to publish lists of prescribed or recommended text-books and to publish syllabuses of the prescribed courses of study;

(xxii) to prepare such forms and registers as are, from time to time, prescribed by the Ordinances;

(xxiii) to appoint committees, for admission to the University;

(xxiv) to appoint, subject to the provisions of Statute 26, committees for such specific purposes as it may deem necessary: and]

[(xxv) to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of the Act. these Statutes and the Ordinances.

1. Words 'the Standing Committee of' omitted by the Banaras Hindu University (Amendment) Act (34 of 1969) S.12 (5-9-19 69).

21. Finance Committee :-

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

(i) the Vice-Chancellor;

(ii) three persons nominated by the Visitor;

(iii) two persons, who are not employees of the University, appointed by the Executive Council;

(iv) two Deans of Faculties by rotation according to seniority for a term of two years.]

(2) The Finance Officer shall be the Secretary of the Finance Committee.

1 [(3) Four members of the Finance Committee shall form the quorum.]

(4) All members of the Finance Committee, other than ex officio members, shall hold office for a term of three years.

(5) The Vice-Chancellor shall preside at meetings of the Finance Committee.

(6) A member of the Finance Committee shall have the right to record a minute of dissent if he dissents from the other members.

(7) The Finance Committee shall meet at least twice every year to examine accounts and to scrutinise proposals for expenditure.

(8) The annual accounts and the budget of the University for the next financial year prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Executive Council for approval with or without amendments.

(9) The Finance Committee shall fix limits for the total recurring expenditure and the total non-recurring expenditure for the year based on the income and resources of the University which, in the case of productive works, may include the proceeds of loans: no expenditure shall be incurred by the University in excess of the limits so fixed.

1. Words 'the Standing Committee of' omitted by the Banaras Hindu University (Amendment) Act (34 of 1969) S.12 (5-9-19 69).

22. Faculties :-

The University shall include the faculties of-

- (i) Oriental Learning and Theology,
- (ii) Arts,
- (iii) Science,
- (iv) Law,
- (v) Technology,
- (vi) Medical Sciences,
- (vii) Agriculture,
- (viii) Education,
- (ix) Music, and Fine Arts,
- (x) Engineering,
- (xi) Commerce.

23. Constitution of Faculties :-

(1) Each Faculty shall consist of the following members, namely :-

- (i) the Dean of the Faculty who shall be the Chairman;
- (ii) the Heads of Departments of Studies in the Faculty;
- (iii) all Professors in the Faculty;
- (iv) one Reader and one Lecturer; by rotation according to seniority, from each Department in the Faculty;
- (v) one teacher, by rotation according to seniority, from the Women's Colleges Provided that the college provides instruction in any of the subjects assigned to the Faculty: Provided further that the rotation according to seniority shall be amongst teachers of subjects assigned to the Faculty;
- (vi) persons not connected with the University having special knowledge of the subject or subjects concerned, nominated by the Academic council, one for each Department of the Faculty, provided that the number of members to be nominated to each of the Faculties of Law. Agriculture, Education and Music and Fine Arts under this sub-clause shall be five.

(2) The term of office of a member nominated under sub-clause (vi) of clause (1) shall be three years from the date of his nomination.

24. Powers of the Faculties :-

(1) The Faculty shall have such powers and shall perform such duties as may be assigned to them by these Statutes and the Ordinances and shall, from time to time, appoint such and so many Boards of Studies in different branches of knowledge as may be prescribed by the Ordinances.

(2) The Faculties shall also consider and make such recommendations to the Academic Council on any question pertaining to their respective spheres of work as may appear to them necessary or on any matter referred to them by the Academic Council.

25. Departments of Faculties :-

(1) The Departments of Studies in existence in the University at the commencement of the Banaras Hindu University (Amendment) Act, 1966 and the Faculties relating thereto are set out in the Annexure to this Schedule.

(2) No Department shall be established, reconstituted, amalgamated with another, or divided or abolished except in accordance with the provisions of these Statutes.

(3) Each Department shall consist of the following members, namely :-

(i) Teachers of the Department;

(ii) Persons conducting research in the Departments;

(iii) Dean of the Faculty or Deans of the Faculties concerned;

(iv) Honorary Professors, if any, attached to the Department;

(v) Such other persons as may be members of the Department in accordance with the provisions of the Ordinances.

(4) Each Department shall have a Head who may be a University Professor or, if there is no Professor, a Reader, and whose duties, functions and terms and conditions of appointment shall be laid down by the Ordinances: Provided that, if there are two or more Professors or Readers in any Department, no person shall be

appointed to be the Head of the Department otherwise than in accordance with the provisions made in respect thereof by the Ordinances: Provided further that, if there is no Professor or Reader in a Department, the Dean of the Faculty concerned shall act as the Head of the Department.

26. Boards and Committees :-

The Court, the Executive Council, the Academic Council or/ and Faculty may appoint boards or committees consisting of members of (he authority making such appointment and such other persons (if any) as that authority in each case may think fit; and any such board or committee may deal with any subject assigned to it subject to subsequent confirmation by the authority which appointed it.

27. Selection Committees :-

(1)

(a) There shall be Selection Committees for making recommendations to the Executive Council for appointment to the posts of Professors, Readers, Lecturers, Registrar, Finance Officer and Librarian.

(b) Every Selection Committee shall consist of the Vice-Chancellor who shall be the Chairman thereof and a person nominated by the Visitor; and, in addition, the Selection Committee for making recommendations for appointment to a post specified in column (1) of the Table below shall have as its members the persons specified in the corresponding entry in column (2) of the said Table.

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

(3) If the Executive Council is unable to accept any recommendation made by the Selection Committee, it shall record its reasons and submit the case to the Visitor for orders.

28. Elected Chairman to preside where no provision made in Statutes :-

Where, by these Statutes, no provision is made for the President or Chairman to preside over a meeting of any University authority, board or committee, or when the President or Chairman so provided for is absent, the members present shall elect one among themselves to preside at the meeting.

29. Reappointment and re-election :-

Save as otherwise provided in the Act, these Statutes or the Ordinances, every officer of the University and every member of any University authority whose term of office or of membership has expired shall be eligible for reappointment or re-election, as the case may be.

30. Resignation :-

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

(2) An officer of the University (whether salaried or otherwise), other than a 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 appoint such officer.

31. Removal of teachers :-

(a) Where there is an allegation of misconduct against a teacher, the Vice-Chancellor may, if he thinks fit, by order in writing, place the teacher under suspension and shall forthwith report to the Executive Council the circumstances in which the order was made: Provided that the Executive Council may, if it is of the opinion, that the circumstances of the case do not warrant the suspension of the teacher, revoke that order.

(b) Notwithstanding anything contained in the terms of his contract of service or of his appointment, the Executive Council shall be entitled to remove a teacher on the ground of misconduct.

(c) Save as aforesaid, the Executive Council shall not be entitled to remove a teacher except for good cause and after giving three months' notice in writing or payment of three months' salary in lieu of notice.

(d) No teacher shall be removed under clause (b) or under clause (c) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(e) The removal of a teacher shall require a two-thirds majority of the members of the Executive Council present and voting.

(f) The removal of a teacher shall take effect from the date on which the order of removal is made : Provided that where a teacher is under suspension at the time of his removal, the removal shall take effect on the date on which he was placed under suspension.

(g) Notwithstanding anything contained in these Statutes, the teacher shall be entitled to resign by giving three months notice in writing to the Executive Council.

32. Removal of employees other than teachers :-

(1) Notwithstanding anything contained in the terms of his contract of service or of his appointment, an employee of the University, other than a teacher, may be removed by the authority which is competent to appoint the employee-

(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy:

(b) if he is an undischarged insolvent;

(c) if he has been convicted by a Court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months;

(d) if he is otherwise guilty of misconduct. Provided that no officer of the University shall be removed from his office unless a resolution to that effect is passed by the Executive Council by a majority of two-thirds of its members present and voting.

(2) No such employee shall be removed under clause (i) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(3) Where the removal of such employee is for a reason other than that specified in sub-clause (c) or sub-clause (d) of clause (1), he shall be given three months' notice in writing or paid three months' salary in lieu of notice.

(4) Notwithstanding anything contained in the Statutes an employee of the University, not being a teacher, shall be entitled to resign,-

(i) in the case of a permanent employee, only after giving three months' notice in writing to the appointing authority or paying to the University three months' salary in lieu thereof;

(ii) in any other case, only after giving one month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof.

33. Seniority :-

(1) Whenever, in accordance with these Statutes, any person is to hold any office or be a member of any authority of the University by rotation according to seniority, such seniority as between two persons holding permanent posts of similar rank or grade shall be determined in accordance with the length of continuous permanent service in such rank or grade and in the case of two persons in temporary service in similar rank or grade, seniority shall be determined in accordance with the length of continuous temporary service in such ranker grade; between a permanent employee and a temporary employee in the same rank or grade, the permanent employee shall be senior.

(2) It shall be the duty of the Registrar to prepare and maintain in respect of each class of persons to whom the provisions of this Statute apply, a complete and up-to-date seniority list in accordance with the provisions of the foregoing clause.

(3) If two or more persons have equal length of continuous service in a particular grade or post. or the relative seniority of any person or persons is otherwise in doubt, the Registrar may, on his own motion, and shall, at the request of any such person, submit the matter to the Executive Council whose decision thereon shall be final.

34. Tenure of office :-

Notwithstanding anything contained in these Statutes, a person who holds any office in the University or is a member of any authority or board or committee of the University in his capacity as a member of any other authority or board or committee or as the holder of any appointment, shall hold the office or be a member of the authority or board or committee of the University so long only as he continues to be a member of that other authority or board or committee or the holder of that particular appointment, as the case may be.

35. Filling of Casual vacancies :-

All casual vacancies in the office of member (other than an ex officio member) of any authority or board or committee of the University shall be filled, as soon as conveniently may be, by the

officer or authority or board or committee who has power to appoint, elect or co-opt the member whose place has become vacant, and the person so appointed, elected or co-opted in a casual vacancy shall be a member of such authority or board or committee for the residue of the term for which the person whose place he fills would have been a member.

36. Admission of Colleges, etc to the privileges of the University :-

(1) Colleges and other institutions within a radius of fifteen miles from the main temple of the University may be admitted to such privileges of the University as the Executive Council may decide on the following conditions namely

(i) every such college or institution shall have a Managing Body constituted in accordance with the rules relating to the society or association establishing the college or institution consisting of-

(a) two persons nominated by the University:

(b) the Principal:

(c) two teachers to be nominated in accordance with the Ordinances:

(d) such number of other persons as may be specified in the rules: Provided that the previous approval of the Executive Council is obtained for the appointment of every such other person:

(ii) every such college or institution shall satisfy the Executive Council on the following points:-

(a) the suitability and adequacy of its accommodation and equipment for teaching,

(b) the qualifications and adequacy of its teaching staff and the conditions of their service,

(c) the arrangements for the residence, welfare, discipline and supervision of its students, and

(d) such other matters as are essential for the maintenance of the standards of University education: and

(iii) no college or institution shall be admitted to any privileges of the University except on the recommendation of the Academic Council made after considering the report of a Committee of

Inspection appointed for the purpose by ¹[* * * * *] the Academic Council.

(2) Every appointment of a teacher in such college or institution shall be made on the recommendation of a Selector Committee which shall consist of-

(a) the Principal, unless the post to be filled is that of the Principal;

(b) one representative of the University nominated by the Executive Council;

(c) two persons nominated by the Managing Body:

(d) two persons not connected with the college or institution who have special knowledge of the subject with which the person to be appointed will be concerned to be nominated by the Executive Council.

(3) Every such college or institution shall be inspected at least once every year by a Committee appointed by ¹[* * * * *] the Academic Council, and the report of that Committee shall be submitted to ¹[* * * * *] the Academic Council which shall forward the same to the Executive Council with such recommendations as it may deem fit to make. The Executive Council, after considering the report and the recommendations, if any, of ¹[* * * * *] the Academic Council, shall forward a copy of the report to the Managing Body of the college or institution with such remarks, if any, as it may deem fit, for suitable action.

(4) The Executive Council may, after consulting the Academic Council, withdraw any privileges granted to a college or institution if at any time it considers that the college or institution is not fulfilling the requisite conditions : Provided that no such privileges shall be withdrawn until the Managing Body of the college or the institution, as the case may be, has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to the college or the institution.

(5) Subject to the conditions set forth above, the Ordinances may prescribe any other conditions which may be considered necessary and also the procedure for the admission of colleges and institutions to the privileges of the University and for the withdrawal of those privileges.

1. Words 'the Standing Committee of' omitted by the Banaras

Hindu University (Amendment) Act (34 of 1969) S.12 (5-9-19 69).

37. Registered graduates :-

(1) Every graduate of the University of not less than three years' standing shall be entitled to be registered and to have his name entered in the register of registered graduates, the period of three years being computed from the date of conferment: of the first degree by the University on the person concerned.

(2) Every person who intends to become a registered graduate shall make an application to the Registrar in such form and on payment of such fee as may be prescribed by the Ordinances.

(3) If any question. arises as to whether a person is entitled to have his name entered in the register of registered graduates, it shall be decided by the Vice-Chancellor whose decision thereon shall be final.

(4) The names of all graduates which have been entered in the register of registered graduates immediately before the commencement of the Banaras Hindu University (Amendment) Act, 1966, shall be included in the register of registered graduates maintained under this Statute.

(5) No registered graduate shall be entitled to vote as a or stand as a candidate for, an election to the Court from among the registered graduates Unless his name has been entered in the register of registered graduates for at least one year prior in the date of the election.

38. Registered donors :-

(1) Every person who has made a donation of one thousand rupees or more or has transferred property of the like value to the University shall be entitled to be registered and to have his name entered in the register of registered donors.

(2) The names of all donors who have made such donation or have transferred such property immediately before the commencement of the Banaras Hindu University (Amendment) Act, 1966 shall be included in the register of registered ,donors maintained under this Statute.

39. Honorary Degrees :-

(1) The Degree of Doctor of Letters (D. Litt.), or

Mahamahopadhyaya, Honoris Causa, shall be conferred upon such persons as have contributed substantially to the advancement of Literature, Philosophy, Art, Music, Painting or any other subject assigned to the Faculty of Arts, or for conspicuous service rendered by them to the cause of education.

(2) The Degree of Doctor of Science (D. Sc.) Honoris Causa shall be conferred upon such persons as have contributed substantially to the advancement of any branch of science or technology or to planning, organising or developing scientific and technological institutions in the country.

(3) The Degree of Doctor of Laws (LL. D.) Honoris Causa shall be conferred upon persons, who are distinguished lawyers. Judges, Jurists, or statesmen or have made noteworthy contribution to public good.

40. Emeritus Professor and Visiting Professor :-

(1) A retired Professor of the University who has acquired distinction in the field of scholarship and research and has published any work of merit may, on the recommendation of the Vice-Chancellor supported with reasons and of the Academic Council, be appointed as Emeritus Professor on such terms as may be prescribed by the Ordinances in this regard.

(2) A scholar of eminence who has acquired distinction in the field of scholarship and research and has published any work of merit may, on the recommendation of the Vice-Chancellor supported with reasons, be invited by the Academic Council to deliver lectures in the University for a specified period on such terms as may be prescribed by the Ordinances.

41. Provision for maintenance of Central Hindu School :-

(1) The Executive Council shall make provision for the maintenance of the Central Hindu School and other schools which have been established in accordance with the Act, these Matutes or the Regulations.

(2) The management of such schools shall be in accordance with the Ordinance made in this behalf.

42. Properties of the schools to be properties of the University :-

The schools referred to in Statute 41 and all their buildings,

properties, furniture, apparatus and books and accounts shall be the property of the University.

43. Subscription by employees :-

Every employee of the University, appointed permanently, or on probation, to a substantive post shall as a condition of his service, subscribe to the Provident fund eight and one-third per cent of his Salaries such subscription shall be deducted from his salary every month, fractions of a rupee of the salary being omitted.

44. Contribution by the University :-

(1) The University shall contribute to the Fund a sum equal to such percentage of the salary of each employee as may be approved by the Central Government.

(2) Such contribution shall be credited to the account of the employee concerned and charged to the University accounts under the head "Provident Fund": Provided that in the case of a person appointed on probation such contribution shall be added to the Fund only on his confirmation, credit being given from the date on which the subscription was deducted each time from his salary.

45. Deposit In Bank :-

The amount of the deduction made from the salary of an employee under Statute 43 and the amount of the contribution made by the University under Statute 44 shall be deposited in the Post Office Savings Bank or in the State Bank as the Executive Council may direct, in the name of the Fund as early as practicable or at any rate within three days of the date on which the payment of the salary is made.

46. Investment in securities :-

(1) The University may, from time to time, invest such part of the Provident Fund, as may be considered expedient, in such Government securities as the Executive Council may determine, and may change the nature of the securities.

(2) All interest or profit realized from the securities or from any deposit or account arising out of the Fund, shall, after deducting the incidental expenses of investment or realization, be credited to the Provident Fund account to be distributed rateably in the account of each subscriber.

47. Payment of Insurance premia :-

(1) On a written application from a subscriber to the Provident Fund and with the approval of the Executive Council, the University may allow premia on the Life insurance Policy of the subscriber to Be paid out of the subscriber's share in his Provident Fund.

(2) In all such cases, the Life Insurance policy for which the premia are so paid shall be assigned in favour of the University and the policy shall, on the retirement of the subscriber from the service of the University, be reassigned to him by the University. In case of maturity of the policy during the service of the subscriber in the University, the full amount of the policy shall be credited to the Provident Fund of the subscriber and in the case of the death of the subscriber during the service. the full amount of the policy shall be paid to the legal representative of the deceased entitled to the Provident Fund.

48. Amount when payable :-

The amount at the .edit of any subscriber shall be payable-

(a) on the death of the subscriber, to the person or persons nominated by him or, when no such nomination is made, to his legal heir or heirs;

(b) on his ceasing to be in the service of the University, to such subscriber, provided-

(i) that no subscriber who has been dismissed for what is considered by the Executive Council as gross misconduct, shall, if the Executive Council so directs, be entitled to the benefit or to receive any. part of any sum at any time contributed by the University to the Fund or the interest or profit thereon;

(ii) that if any subscriber resigns his appointment before putting in five years' service, the University may withhold the contribution allotted to him, together with the interest thereon, and pay to the subscriber only the balance at his credit without such contribution or the interest on or profit from such contribution.

49. Recovery of loss or damage :-

The University shall not be entitled to recover from the amount to the credit of any subscriber on account of subscriptions made by him thereto (including interest on or profit from such subscriptions), any sum on account of any loss or damage sustained by the University through the misconduct or negligence of the subscriber or any other sum due to the University from him, any such loss or damage

sustained by the University or other liability incurred by the subscriber to the University, shall, however, be recoverable from the contribution made by the University to his account including interest or profit thereon.

50. Lapse of withheld contribution :-

Any contribution and interest or profit, withheld under these Statutes, shall lapse to the University.

51. Advances :-

(1) In case of urgent necessity, which in the opinion of the Executive Council justifies the course, the University may allow a subscriber an advance of a sum, not exceeding his salary for three months, out of the amount subscribed by him with interest thereon (excluding the contribution of the University and the interest or profit thereon).

(2) The advance shall be recovered in such number of monthly instalments, not exceeding twenty-four as the Executive Council may fix, and shall be recovered by deduction from the salary payable by the University to such subscriber: the amount of such instalments shall be fixed in whole rupees, and the deductions shall commence from the first payment of a full month's salary, after such advance has been made, and the last instalment shall cover the entire balance then due.

(3) Notwithstanding anything in clause (1), if an advance is required for the purpose of building or purchasing a house .the maximum limit of the advance may be equal to twelve months' salary of the subscriber out of his subscription to the fund, to be repaid in such number of instalments, not exceeding forty-eight, as the Executive Council may determine,

(4) A subscriber may at his option pay at any time any additional sum above the amount fixed.

(5) No subsequent advance shall ordinarily be made until the lapse of three months from the date when the previous advance has been fully repaid.

52. Subscription during leave :-

An employee, who is on leave on full pay shall continue to subscribe to the Provident Fund and may do so at his option, if he is on leave on less than full pay.

53. Annual statement of account :-

A separate account in Form A shall be kept in the office of the University on account of every employee subscribing to the Provident Fund, and a copy of the account shall be furnished to every such employee at the end of each financial year and. on his ceasing to be an employee.

54. Provident Fund Ledger :-

(1) Accounts credited or debited to the Provident Fund shall on the same day be posted to the Provident Fund Ledger in Form B, given below. The figures for Column 6 in the ledger will be calculated yearly as also the net balance of each account entered in Columns 7 and 10.

(2) No voluntary deposits from employees shall be credited to the Provident Fund.

55. Closing of account :-

If a subscriber dies or his services otherwise terminate, his account shall closed, and the sum due to him shall cease to bear interest or carry any profit after the expiry of the month In which his death or the termination of his services occurs.

56. Transfer to deposit account :-

When an account is closed, any sum remaining unclaimed shall be removed from the Provident Fund Ledger and transferred to a deposit account at the end of the year and be dealt with like My Ordinary deposit.

57. Nomination :-

(1) Every subscriber shall be required to sign a written declaration that he has read these Statutes and he agrees to abide by them and hand over for registration in the University office the name of the person to whom he wishes the balance at his credit to be paid in the event of his death.

(2) When nominating more than one person, he may state the proportion in which the said balance may be paid to each of them respectively. In case the nominee or any of the nominees is a minor, he should state the date of birth of the minor nominee; and the payment shall be made to the next friend of the nominee or the guardian who may be authorised by law to receive payment on his behalf while he is a minor.

(3) The subscriber may, from time to time, add to or change his nominee or nominees and the proportion in which the balance at credit is to be distributed, by written application to the University.

(4) A register of nominees shall be kept in the University Office in Form C given below.

58. Employees who are not eligible :-

Notwithstanding anything contained in these Statutes, no employee of the University shall be entitled to the benefit of the Provident Fund if he is otherwise entitled to a pension or the University contributes towards his pension and leave allowance or he has been appointed by the University on a consolidated salary on special terms.

59. Gratuity :-

Where any employee of the University has been in continuous service, whether before or after the commencement of the Banaras Hindu University (Amendment) Act, 1966, for not less than ten years, and-

(i) he retires from service on account of incapacity; or

(ii) he dies while in service; the employee or, in the case of his death, the dependent members of his family, shall be paid on such retirement or death, by the University such gratuity as the Executive Council may determine in the circumstances of each case. the amount of gratuity being calculated at a rate not exceeding one-half month's salary last drawn by the employee for every completed year of service or any part thereof in excess of six months: Provided that in no case the total amount of gratuity so determined shall exceed fifteen months' salary last drawn by the employee.

60. Maintenance of discipline among students of the University :-

(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 such of his powers as he deems proper to the Chief Proctor and to such other persons as he may specify in this behalf.

(3) Without prejudice to the generality of his powers relating to the maintenance of disciplinary 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 aforesaid, order or direct that any student or students be expelled, or be for a stated period rasticated, or be not, for a stated period, admitted to a course or courses of study in a College. Depart ment or Institution of the University, or be fined in a sum of rupees that may be specified, or be debarred from taking a University or College or Departmental Examination or Examinations for one or more years, or that the results of 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 Institutions, Special Centres and teaching in the concerned Departments.

(5) Without prejudice to the powers of the Vice-Chancellor and the Chief Proctor as aforesaid, detailed rules of discipline and proper conduct shall be framed. 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 provide himself with a copy of these rules.

(6) At the time of the admission, every student shall be required to sign a declaration that on admission he submits himself to the disciplinary jurisdiction if the Vice-Chancellor and the several authorities of the University who may be vested with the authority to exercise discipline under the Act, the Statutes, the Ordinances and the Rules that have been framed thereunder by the University.

61. Membership of students organizations :-

No student shall be compelled to join any students' organisation; nor shall, a student be compelled to pay any fee or subscription for any such organisation unless he is a member thereof.