

**THE MAULANA AZAD  
NATIONAL URDU UNIVERSITY  
Act, 1996  
(No. 2 of 1997)**



**ACT AND STATUTES**

Updated till January 2010

**THE MAULANA AZAD NATIONAL  
URDU UNIVERSITY ACT, 1996**  
*No. 2 of 1997*

An Act<sup>1</sup> to establish and incorporate a University at the National level mainly to promote and develop Urdu language and to impart vocational and technical education in Urdu medium through conventional teaching and distance education system and to provide for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Forty-seventh year of the Republic of India as follows: -

**Short title and commencement**

1. (1) This Act may be called the Maulana Azad National Urdu University Act, 1996.
- (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

**Definitions**

2. In this Act, and the Statutes made hereunder, unless the context otherwise requires: -
  - (a) "Academic Council" means the Academic Council of the University;
  - (b) "Academic staff" means such categories of staff as are designated as academic staff by the Ordinances;
  - (c) "Board of Studies" means the Board of Studies of the University;
  - (d) "Chancellor", "Vice-Chancellor" and "Pro-Vice-Chancellor" mean, respectively, the Chancellor, Vice-Chancellor and Pro-Vice-Chancellor of the University;
  - (e) "Court" means the Court of the University;
  - (f) "Department" means a Department of Studies; and includes a Centre of Studies;
  - (g) "Distance education system" means the system of imparting education through any means of communication such as broadcasting, telecasting, correspondence courses, seminars, contact programmes or the combination of any two or more such means;

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<sup>1</sup> Act of Parliament, No. 2 of 1997 received the assent of the President on the 8th January 1997 and was published in the Gazette of India. Extraordinary dated the 8th January 1997 Part II Section I. It came into force on the 9<sup>th</sup> Day of January 1998 as per notification no. F.27-6/97 ó Desk (U) dated the 1<sup>st</sup> January 1998, published in the Gazette of India, Extra Ordinary, Part-II section 3-Sub section (ii) on January 1, 1998

- (h) "Employee" means any person appointed by the University and includes teachers and other staff of the University;
- (i) "Executive Council" means the Executive Council of the University;
- (j) "Finance Committee" means the Finance Committee of the University;
- (k) "Hall" means a unit of residence or of corporate life for the students of the University, or of an Institution, maintained by the University;
- (l) "Institution" means an academic institution maintained by the University;
- (m) "Recognised Institution" means an institution of higher learning recognised by the University;
- (n) "Regulations" means the Regulations made by any authority of the University under this Act for the time being in force;
- (o) "School" means a School of Studies of the University;
- (p) "Statutes" and "Ordinances" mean, respectively, the Statutes and Ordinances of the University for the time being in force;
- (q) "Teachers of the University" means Professors, Readers, Lecturers and such other persons as may be appointed for imparting instruction or conducting research in the University or in any Institution maintained by the University and who are designated as teachers by the Ordinances;
- (r) "University" means the Maulana Azad National Urdu University established and incorporated as a University under this Act.

**Establishment of the University**

3. (1) There shall be established a University by the name of "Maulana Azad National Urdu University"
- (2) The headquarters of the University shall be at Hyderabad.
- (3) The first Chancellor and the first Vice-Chancellor and the first members of the Court, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "Maulana Azad National Urdu University".
- (4) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

**Objects of the University**

4. The objects of the University shall be to promote and develop Urdu language; to impart education and training in vocational and technical subjects through the medium of Urdu; to provide wider access to people desirous of pursuing programmes of higher education and training in Urdu medium through teaching on the Campus as well as at a distance and to provide focus on women education.

**Powers of the University**

5. The University shall have the following powers, namely:-
- (i) to provide for instructions and research in such branches of learning as are relevant for furtherance of the objects of the University;
  - (ii) to grant, subject to such conditions as the University may determine, diplomas or certificates to, and confer degrees or other academic distinctions on the basis of examinations, evaluation or any other method of testing, on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;
  - (iii) to organise and to undertake extra-mural studies, training and extension services;
  - (iv) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;
  - (v) to institute Professorships, Readerships, Lecturerships and other teaching or academic positions, required by the University and to appoint persons to such Professorships, Readerships, Lecturerships, or other teaching or academic positions;
  - (vi) to appoint persons working in any other University or organisation as teacher of the University for a specified period;
  - (vii) to create administrative, ministerial and other posts and to make appointments thereto;
  - (viii) to co-operate or collaborate or associate with any other University or authority or institution of higher learning in such manner and for such purposes as the University may determine;
  - (ix) to establish, with the prior approval of the Central Government, such centres and specialised laboratories, within or outside India, as are, in the opinion of the University necessary for the furtherance of its objects;
  - (x) to institute and award fellowships, scholarships, studentships, medals and prizes;

- (xi) to establish and maintain Institutions and Halls;
- (xii) to make provision for research and advisory services and for that purpose to enter into such arrangements with other institutions, industrial or other organisations as the University may deem necessary;
- (xiii) to organise and conduct refresher courses, workshops, seminars and other programmes for teachers, evaluators and other academic staff;
- (xiv) to make special arrangements in respect of the residence, discipline and teaching of women students as the University may consider desirable;
- (xv) to appoint, on contract or otherwise, visiting Professors, Emeritus Professors, Consultants, Scholars and such other persons who may contribute to the advancement of the object of the University;
- (xvi) to confer autonomous status on a Department in accordance with the Statutes;
- (xvii) to determine standards of admission to the University which may include examination, evaluation or any other method of testing;
- (xviii) to demand and receive payment of fees and other charges;
- (xix) to supervise the residences of the students of the University and to make arrangements for promoting their health and general welfare;
- (xx) to lay down conditions of service of all categories of employees including their code of conduct;
- (xxi) to regulate and enforce discipline among the students and the employees and take such disciplinary measures in this regard as may be deemed by the University to be necessary;
- (xxii) to make arrangements for promoting the health and general welfare of the employees;
- (xxiii) to receive benefactions, donations and gifts and to acquire, hold, manage and dispose of any property, movable or immovable, including trust and endowment properties for the purposes of the University;

- (xxiv) to borrow, with the approval of the Central Government, on the security of the property of the University, money for the purpose of the University;
- (xxv) to organise suitable distance education programmes;
- (xxvi) to establish, maintain or recognize Study Centres for the delivery of the distance education system in the manner laid down by the Ordinances;
- (xxvii) to provide for the preparation of instructional material including films, cassettes, tapes, video cassettes and other software in collaboration with various Open Universities and other Institutions dealing with the distance education system;
- (xxviii) to devise and implement suitable schemes for providing a base for promotion and dissemination of Urdu and to bring about the essential continuity in education with special reference to the delivery system in distance education consistent with the objectives of the University; and
- (xxix) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.

**Jurisdiction**

6. The jurisdiction of the University shall extend to the whole of India.

**University open to all classes, castes and creeds**

7. The University shall be open to persons of either sex and of whatever caste, creed, race 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 appointed as a teacher of the University or to hold any other office there in or to be admitted as a student in the University or to graduate thereat or to enjoy or exercise any privilege thereof;

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the employment or admission of women, physically handicapped or of persons belonging to the weaker sections of the society and, in particular, of the Scheduled Castes and the Scheduled Tribes.

**The Visitor**

8. (1) The President of India shall be the Visitor of the University.
- (2) The visitor may, from time to time, appoint one or more persons to review the work and progress of the University, including Institution managed by it, and to submit a report thereon; and upon receipt of that report the Visitor may, after obtaining the views of the Executive Council thereon through the Vice-Chancellor, take such action and issue such directions as he considers necessary in respect of any of the matters dealt with in the report and the University shall be bound to comply with such directions.
- (3) The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct of the University, its buildings, laboratories and equipment and of any Institution maintained by the University and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with that the administration or finances of the University or Institutions.
- (4) The Visitor shall in every matter referred to in sub-section (3), give notice of his intention to cause an inspection or inquiry to be made to the University and the University shall have the right to make such representations to the Visitor, as it may consider necessary.
- (5) After considering the representations, if any, made by the University, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (3).
- (6) Where any inspection or inquiry has been caused to be made by the Visitor, the University shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.
- (7) The Visitor may, if the inspection or inquiry is made in respect of the University or any Institution maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry together with such views and advice with regard to the action to be taken thereon, as the Visitor may be pleased to offer, and on receipt of address made by the Visitor, the Vice-Chancellor shall communicate to the Executive Council, the views of the Visitor with such advice as the Visitor may offer upon the action to be taken thereon.

- (8) The Executive Council shall communicate, through the Vice-Chancellor, to the Visitor such action, if any, as it proposes to take or has been taken upon the result of such inspection or inquiry.
- (9) Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as he may think fit and the Executive Council shall comply with such directions.
- (10) Without prejudice to the foregoing provisions of this section, the Visitor may, by order in writing, annul any proceeding of the University which is not in conformity with this act, the Statutes or the Ordinances:

Provided that before making any such order, he shall call upon the Registrar to show cause why such an order should not be made, and if any cause is shown within a reasonable time, he shall consider the same.

- (11) The Visitor shall have such other powers as may be prescribed by the statutes.

**Officers  
of the University**

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

- (1) the Chancellor;
- (2) the Vice-Chancellor;
- (3) the Pro-Vice-Chancellor;
- (4) the Deans of Schools;
- (5) the Registrar;
- (6) the Finance Officer;
- (7) the Librarian; and

such other officers as may be declared by the Statutes to be officers of the University.

**The Chancellor**

- 10.(1)** The Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.
- (2) The Chancellor shall, by virtue of his office, be the Head of the University.
- (3) The Chancellor shall, if present, preside at the convocation of the University held for conferring degrees.



**The Vice-Chancellor**

- 11.(1) The Vice-Chancellor shall be appointed by the Visitor in such manner and on such terms and conditions of service as may be prescribed by the Statutes.
- (2) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.
- (3) The Vice-Chancellor may, if he is of opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matters;

Provided that if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the Visitor whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to appeal against such action to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

- (4) The Vice-Chancellor, if he is of the opinion that any decision of any authority of the University is beyond the powers of the authority conferred by the provisions of this Act, the Statutes or the Ordinances or that any decision taken is not in the interest of the University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review the decision either in whole or in part or no decision is taken by it within the said period of sixty days, the matter shall be referred to the Visitor whose decision thereon shall be final.
- (5) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed by the Statutes or the Ordinances.

**The Pro-Vice-Chancellor**

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

**The Deans of Schools**

13. Every Dean of a School shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

- The Registrar**            14.(1) The Registrar shall be appointed in such manner as may be prescribed by the Statutes.
- (2) The Registrar shall have the power to enter into agreement, sign documents and authenticate records on behalf of the University and shall exercise such powers and perform such duties as may be prescribed by the Statutes.
- The Finance Officer**        15. The Finance Officer shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.
- The Librarian**            16. The Librarian shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.
- Other Officers**            17. The manner of appointment and powers and duties of the other officers of the University shall be prescribed by the Statutes.
- Authorities of the University**    18. The following shall be the authorities of the University:-
- (1) the Court;
- (2) the Executive Council;
- (3) the Academic Council;
- (4) the Board of Studies;
- (5) the Finance Committee; and
- (6) such other authorities as may be declared by the Statutes to be the authorities of the University.
- The Court**                19.(1) The constitution of the Court and the term of office of its members shall be prescribed by the Statutes;
- (2) Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:-
- (a) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;
- (b) to advice the Visitor in respect of any matter which may be referred to it for advice; and
- (c) to perform such other functions as may be prescribed by the Statutes.

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| <b>The Executive Council</b>               | <b>20.</b> (1) The Executive Council shall be the principal executive body of the University.<br><br>(2) The constitution of the Executive Council, the term of office of its members and its powers and functions shall be prescribed by the Statutes.   |
| <b>The Academic Council</b>                | <b>21.</b> (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and the Ordinances, co-ordinate and exercise general supervision over the academic policies of the University.<br><br>(2) The constitution of the Academic Council, the term of office of its members and its powers and functions shall be prescribed by the Statutes.   |
| <b>The Board of Studies</b>                | <b>22.</b> The constitution, powers and functions of the Board of Studies shall be prescribed by the Statutes   |
| <b>The Finance Committee</b>               | <b>23.</b> The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes  |
| <b>Other authorities of the University</b> | <b>24.</b> The constitution, powers and functions of other authorities, as may be declared by the Statutes to be the authorities of the University, shall be prescribed by the Statutes.  |
| <b>Power to make Statutes</b>              | <b>25.</b> Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-<br><br>(a) the constitution, powers and functions of the authorities, and other bodies of the University, as may be constituted from time to time;<br><br>(b) appointment and continuance in office of the members of the said authorities and bodies, filling up of vacancies of members and all other matters relating to those authorities and other bodies for which it may be necessary or desirable to provide;<br><br>(c) the appointment, powers and duties of the officers of the University and their emoluments;<br><br>(d) the appointment of teachers and other academic staff and other employees of the University, their emoluments and other conditions of service;<br><br>(e) the appointment of teachers, academic staff working in any other University or organisation for specific period for undertaking a joint project; |

- (f) the conditions of service of employees including provision for pension, insurance and provident fund, the manner of termination of service and disciplinary action;
- (g) the principles governing the seniority of service of the employees of the University;
- (h) the procedure for arbitration in cases of dispute between employees or students and the University;
- (i) the procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of the University;
- (j) the conferment of autonomous status on an Institution or a Department;
- (k) the establishment and abolition of Schools, Departments, Centres, Halls and Institutions;
- (l) the conferment of honorary degrees;
- (m) the withdrawal of degrees, diplomas, certificates and other academic distinctions;
- (n) the institution of fellowships, scholarships, studentships, medals and prizes;
- (o) the delegation of powers vested in the authorities or officers of the University;
- (p) the maintenance of discipline among the employees and students; and
- (q) all other matters which by this Act are to be or may be provided for by the Statutes.

**Statutes how to be made**

**26.(1)** The first Statutes are those set out in the Schedule.

- (2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1):

Provided that the Executive Council shall not make, amend or repeal any Statutes affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes and any opinion so expressed shall be considered by the Executive Council:

Provided further that the Executive Council shall not consider to make, amend or repeal any statute relating to the matters provided under clauses (j) and (k) of section 25 except with the prior approval of the Visitor.

- (3) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the assent of the Visitor who may assent thereto or withhold assent or remit to the Executive Council for re-consideration in the light of observations, if any, made by him.
- (4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.
- (5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) during the period of three years immediately after the commencement of this Act:

Provided that the Visitor may, on the expiry of the said period of three years, make, within one year from the date of such expiry, such detailed Statutes as he may consider necessary and such detailed Statutes shall be laid before both Houses of Parliament.

- (6) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may direct the University to make provisions in the Statutes in respect of any matter specified by him and if the Executive Council is unable to implement such direction within sixty days of its receipt, the Visitor may, after considering the reasons, if any, communicated by the Executive Council for its inability to comply with such direction, make or amend the Statutes suitably.

**Powers to make Ordinances**

- 27.(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;
  - (c) the medium of instruction and examination;

- (d) the award of degrees, diplomas, certificates and other academic distinctions, qualifications for the same and the means to be taken relating to the granting and obtaining of the same;
- (e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University,
- (f) the conditions for awards of fellowships, scholarships, studentships, medals and prizes;
- (g) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators;
- (h) the conditions of residence of the students of the University;
- (i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and prescribing of special courses of studies for them:
- (j) the appointment and emoluments of employees other than those for whom provision has been made in the Statutes:
- (k) the establishment of Centres of Studies, Boards of Studies, Special Centres, Specialised Laboratories and other Committees;
- (l) the manner of co-operation and collaboration with other Universities, Institutions and other agencies including learned bodies or associations in India or abroad;
- (m) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;
- (n) such other terms and conditions of service of teachers and other academic staff as are not prescribed by the Statutes;
- (o) the management of Institutions established by the University;
- (p) setting up of a machinery for redressal of grievances of employees; and
- (q) all other matters which by this Act or the Statutes may be provided for by the Ordinances.

- (2) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Central Government and the Ordinances so made may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes.
- Regulations**            28. The authorities of the University may make Regulations, consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the Committees, if any, appointed by them and not provided for by this Act, the Statutes or the Ordinances, in the manner prescribed by the Statutes.
- Annual Report**        29.(1) The annual report of the University shall be prepared under the direction of the Executive Council which shall include, among other matters, the steps taken by the University towards the fulfillment of its objects and shall be submitted to the Visitor on or before such date as may be prescribed by the Statutes.
- (2) A copy of the annual report, as prepared under sub-section (1), shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.
- Annual Accounts**     30.(1) The annual accounts and balance-sheet of the University shall be prepared under the directions of the Executive Council and shall, once at least every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India or by such persons as he may authorise in this behalf.
- (2) A copy of the annual accounts together with the audit report thereon shall be submitted to the Visitor along with the observations, if any, of the Executive Council.
- (3) Any observations made by the Visitor on the annual accounts shall be brought to the notice of the Executive Council and the views of the Executive Council, if any, on such observations shall be submitted to the Visitor.
- (4) A copy of the annual accounts together with the audit report as submitted to the Visitor shall also be submitted to the Central Government who shall, as soon as may be, cause the same to be laid before both Houses of Parliament.
- (5) The audited annual accounts after having been laid before both Houses of Parliament shall be published in the Gazette of India.

**Conditions of service of employees**

- 31.**(1) Every employee 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 employee concerned.
- (2) Any dispute arising out of the contract between the University and any employee shall, at the request of the employee, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the employee and an umpire appointed by the Visitor.
- (3) The decision of the Tribunal shall be final and no suit shall lie in any civil court in respect of the matters decided by the Tribunal.
- (4) Every request made by the employee under sub-section (2) shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940.
- (5) The procedure for regulating the work of the Tribunal shall be prescribed by the Statutes.

**Procedure of appeal and arbitration in disciplinary cases against students**

- 32.**(1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examination of the University for more than one year, may, within ten days of the date of receipt of such orders or copy of such resolution by him, appeal to the Executive Council and the Executive Council may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.
- (2) Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to a Tribunal of Arbitration and the provisions of sub-sections (2), (3), (4) and (5) of section 31 shall, as far as may be, apply to a reference made under this sub-section.

**Right to Appeal**

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



**Provident and pension funds**

19 of 1925

34.(1) The University shall constitute for the benefit of its employees such provident or pension funds or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

(2) Where such provident fund or pension fund has been so constituted, the Central Government may declare that the provision of the Provident Fund Act, 1925, shall apply to such fund, as if it were a Government provident fund.

**Disputes as to Constitution of University Authorities and bodies**

35. If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Visitor whose decision thereon shall be final.

**Constitution of Committees**

36. Where any authority of the University is given power by this Act or the Statutes to appoint Committees, such committee shall, save as otherwise provided, consist of the members of the authority concerned and of such other person, if any, as the authority in each case may think fit.

**Filling of Casual vacancies**

37. All casual vacancies among the members (other than *ex officio* members) of any authority or other body of the University shall be filled, as soon as may be, by the person or body who appoints, elects or co-opts the member whose place has become vacant and any person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

**Proceedings of University authorities or bodies not invalidated by vacancies**

38. No act or proceedings of any authority or other body of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.

**Protection of Action taken in good faith**

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

**Mode of proof of University records**

1 of 1872

40. A copy of any receipt, application, notice, order, proceeding, resolution of any authority or Committee of the University, other documents in possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as *prime facie* evidence of such receipt, application, notice, order, proceeding, resolution or

documents or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence, notwithstanding anything contained in the Indian Evidence Act, 1872 or in any other law for the time being in force.

**Power to remove  
Difficulties**

41.(1) If any difficulty arises in giving effect to the Provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty;

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

**Transitional  
Provisions**

42. Notwithstanding anything contained in this Act and the Statutes:-

- (a) the first Chancellor shall be appointed by the Visitor and the said officer shall hold office for a term of five years;
- (b) the first Vice-Chancellor shall be appointed by the Visitor and the said officer shall hold office for a term of five years;
- (c) the first Registrar and the first Finance Officer shall be appointed by the Visitor and each of the said officers shall hold office for a term of three years;
- (d) the first Court and the first Executive Council shall consist of not more than thirty members and eleven members, respectively, who shall be nominated by the Visitor and they shall hold office for a term of three years;
- (e) the first Academic Council shall consist of not more than twenty-one members, who shall be nominated by the Visitor and shall hold office for a term of three years;

Provided that if any vacancy occurs in the above offices or authorities, the same shall be filled by appointment or nomination, as the case may be, by the Visitor, and the person so appointed or nominated shall hold office for so long as the officer or member in whose place he is appointed or nominated would have held that office, if such vacancy had not occurred.

**Statutes,  
Ordinances and  
Regulations to be  
published in the  
Official Gazette  
and to be laid  
before Parliament**

- 43.(1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.
- (2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.
- (3) The power to make Statutes, Ordinances or Regulations shall include the power to give retrospective effect from a date not earlier than the date of commencement of this Act, to the Statutes, Ordinance or Regulations or any of them but no retrospective effect shall be given to any Statute, Ordinance or Regulation so as to prejudicially affect the interests of any person to whom such Statute, Ordinance or Regulation may be applicable.