

सत्यमेव जयते

The Indira Gandhi National Open University Act, 1985

(ACT NO. 50 OF 1985)

[*As on the* 1*st July*, 2026]

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AMENDING ACT

1. The Indira Gandhi National Open University (Amendment) Act, 1997 (32 of 1997).

LIST OF ABBREVIATIONS USED

Cl., cls.	. . . . .	*for*	Clause, clauses.
Ins.	. . . . .	,,	Inserted.
Notifn.	. . . . .	,,	Notification.
S., ss.	. . . . .	,,	Section, sections.
Sch.	. . . . .	,,	Schedule.
Subs.	. . . . .	,,	Substituted.
w.e.f.	. . . . .	,,	with effect from.

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THE INDIRA GANDHI NATIONAL OPEN UNIVERSITY ACT, 1985

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THE INDIRA GANDHI NATIONAL OPEN UNIVERSITY ACT, 1985

ACT NO. 50 OF 1985

[2*nd September*, 1985.]

An Act to establish and incorporate an open University at the national level for the introduction and promotion of the open university and distance education systems in the educational pattern of the country and for the co-ordination and determination of standards in such systems.

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. Short title and commencement.—(*1*) This Act may be called the Indira Gandhi National Open University Act, 1985.

(*2*) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, and the Statutes made hereunder, unless the context otherwise requires,—

(*a*) "Academic Council" means the Academic Council of the University;

(*b*) "Board of Management" means the Board of Management of the University;

(*c*) "Board of Recognition" means the Board of Recognition of the University;

(*d*) "College" means a College or other academic institution established or maintained by, or admitted to the privileges of, the University;

(*e*) "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 of such means;

(*f*) "employee" means any person appointed by the University, and includes teachers and other academic staff of the University;

(*g*) "Finance Committee" means the Finance Committee of the University;

(*h*) "Governing Body", in relation to a College, means any body (by whatever name called) charged with the management of the affairs of the College and recognised as such by the University;

(*i*) "Planning Board" means the Planning Board of the University;

(*j*) "Regional Centre" means a centre established or maintained by the University for the purpose of co-ordinating and supervising the work of Study Centres in any region and for performing such other functions as may be conferred on such centre by the Board of Management;

(*k*) "Regulations" means the Regulations made by any authority of the University under this Act for the time being in force;

(*l*) "School" means a School of Studies of the University;

(*m*) "Statutes" and "Ordinances" mean, respectively, the Statutes and Ordinances of the University for the time being in force;

(*n*) "student" means a student of the University, and includes any person who has enrolled himself for pursuing any course of study of the University;

(*o*) "Study Centre" means a centre established, maintained or recognised by the University for the purpose of advising, counselling or for rendering any other assistance required by the students;

(*p*) "teachers" means Professors, Readers, Lecturers and such other persons as may be designated as such by the Ordinances for imparting instruction in the University or for giving guidance or rendering assistance to students for pursuing any course of study of the University;

1. 20th September, 1985, *vide* Notifn. No. S.O. 678(E), dated 19th September, 1985, *see* Gazette of India, Extraordinary, Part II, sec. 3(*ii*).

(*q*) "University" means the Indira Gandhi National Open University established under this Act;

(*r*) "Vice-Chancellor" and "Pro-Vice-Chancellor" mean, respectively, the Vice-Chancellor and a Pro-Vice-Chancellor of the University.

3. Establishment and incorporation of the University.—(*1*) There shall be established a University by the name of "the Indira Gandhi National Open University".

(*2*) The headquarters of the University shall be at Delhi and it may establish or maintain Colleges, Regional Centres and Study Centres at such other places in India as it may deem fit.

[1][Provided that the University may, with the prior approval of the Visitor, also establish Study Centres outside India.]

(*3*) The first Vice-Chancellor, the first Pro-Vice-Chancellors and the first members of the Board of Management, the Academic Council and the Planning Board 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 "the Indira Gandhi National Open University".

(*4*) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

4. The objects of the University.—The objects of the University shall be to advance and disseminate learning and knowledge by a diversity of means, including the use of any communication technology, to provide opportunities for higher education to a larger segment of the population and to promote the educational well being of the community generally, to encourage the Open University and distance education systems in the educational pattern of the country and to co-ordinate and determine the standards in such systems, and the University shall, in organising its activities, have due regard to the objects specified in the First Schedule.

5. Powers of the University.—(*1*) The University shall have the following powers, namely:—

(*i*) to provide for instruction in such branches of knowledge, technology, vocations and professions as the University may determine from time to time and to make provision for research;

(*ii*) to plan and prescribe courses of study for degrees, diplomas, certificates or for any other purpose;

(*iii*) to hold examinations and confer degrees, diplomas, certificates or other academic distinctions or recognitions on persons who have pursued a course of study or conducted research in the manner laid down by the Statutes and Ordinances;

(*iv*) to confer honorary degrees or other distinctions in the manner laid down by the Statutes;

(*v*) to determine the manner in which distance education in relation to the academic programmes of the University may be organised;

(*vi*) to institute professorships, readerships, lecturerships and other academic positions necessary for imparting instruction or for preparing educational material or for conducting other academic activities, including guidance, designing and delivery of course and evaluation of the work done by the students, and to appoint persons to such professorships, readerships, lecturerships and other academic positions;

(*vii*) to co-operate with, and seek the co-operation of, other universities and institutions of higher learning, professional bodies and organisations for such purposes as the University considers necessary;

(*viii*) to institute and award fellowships, scholarships, prizes and such other awards for recognition of merit as the University may deem fit;

(*ix*) to establish and maintain such Regional Centres as may be determined by the University from time to time;

(*x*) to establish, maintain or recognise Study Centres in the manner laid down by the Statutes;

1. Proviso added by Act 32 of 1997, s. 2 (w.e.f. 29-8-1997).

(*xi*) to provide for the preparation of instructional materials, including films, cassettes, tapes, video cassettes and other software;

(*xii*) to organise and conduct refresher courses, workshops, seminars and other programmes for teachers, lesson writers, evaluators and other academic staff;

(*xiii*) to recognise examinations of, or periods of study (whether in full or part) at, other universities, institutions or other places of higher learning as equivalent to examinations or periods of study in the University, and to withdraw such recognition at any time;

(*xiv*) to make provision for research and development in educational technology and related matters;

(*xv*) to create administrative, ministerial and other necessary posts and to make appointments thereto;

(*xvi*) to receive benefactions, donations and gifts and to acquire, hold, maintain and dispose of any property movable or immovable, including trust and Government property, for the purposes of the University;

(*xvii*) to borrow, with the approval of the Central Government, whether on the security of the property of the University or otherwise, money for the purposes of the University;

(*xviii*) to enter into, carry out, vary or cancel contracts;

(*xix*) to demand and receive such fees and other charges as may be laid down by the Ordinances;

(*xx*) to provide, control and maintain discipline among the students and all categories of employees and to lay down the conditions of service of such employees, including their codes of conduct;

(*xxi*) to recognise any institution of higher learning or studies for such purposes as the University may determine and to withdraw such recognition;

(*xxii*) to appoint, either on contract or otherwise, visiting Professors, Emeritus Professors, Consultants, fellows, scholars, artists, course writers and such other persons who may contribute to the advancement of the objects of the University;

(*xxiii*) to recognise persons working in other universities, institutions or organisations as teachers of the University on such terms and conditions as may be laid down by the Ordinances;

(*xxiv*) to determine standards and to specify conditions for the admission of students to courses of study of the University which may include examination, evaluation and any other method of testing;

(*xxv*) to make arrangements for the promotion of the general health and welfare of the employees;

(*xxvi*) to confer autonomous status on a College or a Regional Centre in the manner laid down by the Statutes;

(*xxvii*) to admit to its privileges any College in or outside India subject to such conditions as may be laid down by the Statutes:

Provided that no College shall be so admitted except with the prior approval of the Visitor;

(*xxviii*) to do all such acts as may be necessary or incidental to the exercise of all or any of the powers of the University as are necessary and conducive to the promotion of all or any of the objects of the University.

(*2*) Notwithstanding anything contained in any other law for the time being in force, but without prejudice to the provisions of sub-section (*1*), it shall be the duty of the University to take all such steps as it may deem fit for the promotion of the open university and distance education systems and for the determination of standards of teaching, evaluation and research in such systems, and for the purpose of performing this function, the University shall have such powers, including the power to allocate and

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disburse grants to Colleges, whether admitted to its privileges or not, or to any other university or institution of higher learning, as may be specified by the Statutes.

6. Jurisdiction.—The University shall in the exercise of its powers have jurisdiction over the whole of India [1][and to the Study Centres outside India].

7. University open to all classes, castes and creeds.—(*1*) 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 appointed as a teacher of the University or to hold any other office therein or admitted as a student in the University, or to graduate thereat, or to enjoy or exercise any privilege thereof.

(*2*) Nothing in sub-section (*1*) shall be deemed to prevent the University from making any special provision for the appointment or admission of women or of persons belonging to the weaker sections of the society, and in particular, of persons belonging to the Scheduled Castes or Scheduled Tribes.

8. The Visitor.—(*1*) The President of India shall be the Visitor of the University.

(*2*) Subject to the provisions of sub-sections (*3*) and (*4*), 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 College, Regional Centre, a Study Centre and also of the examination, instruction 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 the administration and finances of the University.

(*3*) The Visitor shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall, on receipt of such notice, have the right to make, within thirty days from the date of receipt of the notice or such other period as the Visitor may determine, such representations to him as it may consider necessary.

(*4*) 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 (*2*).

(*5*) Where an 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 appear in person and to be heard on such inspection or inquiry.

(*6*) The Visitor may address the Vice-Chancellor with reference to the results 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 the address made by the Visitor, the Vice-Chancellor shall communicate forthwith to the Board of Management the results of the inspection or inquiry and the views of the Visitor and the advice tendered by him upon the action to be taken thereon.

(*7*) The Board of Management shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it proposes to take or has been taken by it upon the results of such inspection or inquiry.

(*8*) Where the Board of Management 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 Board of Management, issue such directions as he may think fit and any Board of Management shall be bound to comply with such directions.

(*9*) Without prejudice to the foregoing Provision s of this section, the Visitor may, by an order in writing, annul any proceedings 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 University to show cause way such an order should not be made and, if any cause is shown within a reasonable time, he shall consider the same.

(*10*) The Visitor shall have such other powers as may be specified by the Statutes.

9. Officers of the University.—The following shall be the officers of the University:—

1. Added by Act 32 of 1997, s. 3, for "whole of India" (w.e.f. 29-8-1997).

(*1*) The Vice-Chancellor;

(*2*) The Pro-Vice-Chancellors;

(*3*) The Directors;

(*4*) The Registrars;

(*5*) The Finance Officer; and

(*6*) Such other officers as may be declared by the Statutes to be the officers of the University.

10. The Vice-Chancellor.—(*1*) The Vice-Chancellor shall be appointed by the Visitor in such manner, for such term and on such emoluments and other conditions of service as may be prescribed by the Statutes.

(*2*) The Vice-Chancellor shall be the principle academic and executive officer of the University, and shall exercise supervision and control over the affairs of the University and give effect to the decisions of the all the authorities of the University.

(*3*) The Vice-Chancellor may, if he is of the 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 matter:

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 Board of Management within ninety days from the date on which such action is communicated to him and thereupon the Board of Management may confirm, modify or reverse the action taken by the Vice-Chancellor.

(*4*) The Vice-Chancellor, if he in of the opinion that any decision of any authority is beyond the powers of the authority conferred by the provisions of this Act, Statutes or Ordinances or that any decision taken is not in the interests 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 its 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:

Provided that the decision of the authority concerned shall remain suspended during the period of review of such decision by the authority or the Visitor, as the case may be, under this sub-section.

(*5*) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes and the Ordinances.

11. The Pro-Vice-Chancellors.—Every Pro-Vice-Chancellor shall be appointed in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed by the Statutes.

12. The Directors.—Every Director shall be appointed in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed by the Statutes.

13. The Registrars.—(*1*) Every Registrar shall be appointed in such manner, on such emoluments and other conditions of service as may be prescribed by the Statutes.

(*2*) A Registrar empowered by the Board of Management shall have the power to enter into, and sign, agreements and authenticate records on behalf of the University.

(*3*) Every Registrar shall exercise such powers and perform such functions as may be prescribed by the Statutes.

14. The Finance Officer.—The Finance Officer shall be appointed in such manner, on such emoluments and other conditions of service and shall exercise such powers and perform such functions as may be prescribed by the Statutes.

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15. Other officers.—The manner of appointment, emoluments, powers and duties of the other officers of the University shall be prescribed by the Statutes.

16. Authorities of the University.—The following shall be the authorities of the University:—

(*1*) The Board of Management;

(*2*) The Academic Council;

(*3*) The Planning Board;

(*4*) The Board of Recognition;

(*5*) The Schools of Studies;

(*6*) The Finance Committee; and

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

17. The Board of Management.—(*1*) The Board of Management shall be the principal executive body of the University.

(*2*) The constitution of the Board of Management, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

18. The Academic Council.—(*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 Ordinances, have the control and general regulation of, and be responsible for, the maintenance of standards of learning, education, instruction, evaluation and examination within the University and shall exercise such other powers and perform such other functions as may be conferred or imposed upon it by the Statutes.

(*2*) The constitution of the Academic Council and the term of office of its members shall be prescribed by the Statutes.

19. The Planning Board.—(*1*) There shall be constituted a Planning Board of the University which shall be the principal planning body of the University and shall also be responsible for the monitoring of the developments of the University on the lines indicated in the objects of the University.

(*2*) The constitution of the Planning Board, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

20. The Board of Recognition.—(*1*) The Board of Recognition shall be responsible for admitting Colleges to the privileges of the University.

(*2*) The constitution and the other powers and functions of the Board of Recognition shall be prescribed by the Statutes.

21. The Schools of Studies.—(*1*) There shall be such number of Schools of Studies as the University may determine from time to time.

(*2*) The constitution, powers and functions of the Schools of Studies shall be prescribed by the Statutes.

22. The Finance Committee.—The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes.

23. Other authorities.—The constitution, powers and functions of the other authorities which may be declared by the Statutes to be authorities of the University shall be prescribed by the Statutes.

24. Statutes.—Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

(*a*) the manner of appointment of the Vice-Chancellor, the term of his appointment, the emoluments and other conditions of his service and the powers and functions that may be exercised and performed by him;

(*b*) the manner of appointment of Pro-Vice-Chancellors, Director, Registrars, the Finance Officer and other officers, the emoluments and other conditions of their service and the powers and functions that may be exercised and performed by each of the officers;

(*c*) the constitution of the Board of Management and other authorities of the University, the terms of office of the members of such authorities and the powers and functions that may be exercised and performed by such authorities;

(*d*) the appointment of teachers and other employees of the University, their emoluments and other conditions of service;

(*e*) the constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of the employees of the University;

(*f*) the principles governing the seniority of service of the employees of the University;

(*g*) the procedure in relation to any appeal or application for review by any employee or student of the University against the action of any officer or authority of the University, including the time within which such appeal or application for review shall be preferred or made;

(*h*) the procedure for the settlement of disputes between the employees or students of the University, and the University;

(*i*) the conferment of autonomous status on Colleges and Study Centres;

(*j*) the co-ordination and determination of standards in the open University and distance education systems and the allocation and disbursement of grants to Colleges and other universities and institutions;

(*k*) the conditions that are required to be fulfilled for admission of the Colleges to the privileges of the University;

(*l*) all other matters which by this Act are to be, or may be, provided by the Statutes.

25. Statutes how made.—(*1*) The first Statutes are those set out in the Second Schedule.

(*2*) The Board of Management 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 Board of Management shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given a reasonable opportunity to express its opinion in writing on the proposed changes and any opinion so expressed has been considered by the Board of Management.

(*3*) Every new Statute or addition to the Statutes or any amendment or repeal thereof shall require the approval of the Visitor, who may assent thereto or withhold assent or remit to the Board of Management for re-consideration in the light observations, if any, made by him.

(*4*) A new Statute or a Statute amending or repealing an existing Statute shall not be valid 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.

(*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 Board of Management is unable to implement such a direction within sixty days of its receipt, the Visitor may, after considering the reasons, if any, communicated by the Board of Management for its inability to comply with such direction, make or amend the Statutes suitably.

26. 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, the courses of study and the fees therefor, the qualifications pertaining to degrees, diplomas, certificates and other courses, the conditions for the grant of fellowships, awards and the like;

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(*b*) the conduct of examinations, including the terms and conditions and appointment of examiners;

(*c*) the management of Colleges admitted to the privileges of the University; and

(*d*) any other matter which by this Act or the Statutes is to be, or 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 Board of Management in the manner prescribed by the Statutes.

27. Regulations.—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.

28. Annual report.—(*1*) The annual report of the University shall be prepared under the directions of the Board of Management which shall include, among other matters, the steps taken by the University towards the fulfilment of its objects.

(*2*) The annual report so prepared shall be submitted to the Visitor on or before such date as may be prescribed by the Statutes.

(*3*) 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 the Houses of Parliament.

29. Annual accounts, etc.—(*1*) The annual accounts and the balance-sheet of the University shall be prepared under the directions of the Board of Management 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 such person or persons as he may authorise in this behalf.

(*2*) A copy of the accounts together with the audit report shall be submitted to the Visitor along with the observations, if any, of the Board of Management.

(*3*) Any observations made by the Visitor on the annual accounts shall be brought to notice of the Board of Management and the views of the Board of Management, if any, on such observations shall be submitted to the Visitor.

(*4*) A copy of the accounts together with the audit report, as submitted to the Visitor, shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both the Houses of Parliament.

(*5*) The audited annual accounts, after having been laid before both the Houses of Parliament, shall be published in the Gazette of India.

30. Conditions of service of employees.—(*1*) Every employee of the University shall be appointed under a written contract and such contract shall not be inconsistent with the provisions of this Act, the Statutes and the Ordinances.

(*2*) The contract referred to in sub-section (*1*) shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

31. Tribunal of Arbitration.—(*1*) Any dispute arising out of a contract of employment referred to in section 30 between the University and an employee shall, at the request of either party, be referred to a Tribunal of Arbitration which shall consist of one member nominated by the Board of Management, one member nominated by the employee concerned and an umpire to be nominated by the Visitor.

(*2*) Every such reference shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940 (2 of 1940), and all the provisions of that Act, with the exception of section 2 thereof, shall apply accordingly.

(*3*) The procedure for regulating the work of the Tribunal of Arbitration shall be prescribed by the Statutes.

(*4*) The decision of the Tribunal of Arbitration shall be final and binding on the parties, and no suit shall lie in any court in respect of the matters decided by the Tribunal.

32. Provident and pension funds.—(*1*) The University shall constitute for the benefit of the 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 or pension fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 (19 of 1925) shall apply to such funds, as if it were a Government Provident Fund.

33. Disputes as to the constitution of the University authorities and bodies.—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.

34. Filling of casual vacancies.—All the 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 convenient, 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.

35. Proceedings of the University authorities or bodies not invalidated by vacancies.—No act or proceedings of any authority or any other body shall be invalidated merely by reason of the existence of any vacancy or vacancies among its members.

36. Protection of action taken in good faith.—No suit or other legal proceedings shall lie against any officer or employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act or the Statutes or the Ordinances.

37. Mode of proof of University record.—A copy of any receipt, application, notice, order, proceedings, resolution of any authority or committee of the University, or other documents in the possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar so designated shall, notwithstanding anything contained in the Indian Evidence Act, 1872 (1 of 1872) or in any other law for the time being in force, be admitted as evidence of the matters and transactions specified therein, where the original thereof would, if produced, have been admissible in evidence.

38. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Gazette of India, make such provisions, not inconsistent with the provisions of this Act, as appears 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.

39. Transitional provisions.—Notwithstanding anything contained in this Act and the Statutes:—

(*a*) The first Vice-Chancellor, the first Registrars and the first Finance Officer shall be appointed by the Visitor and they shall be governed by the terms and conditions of service specified by the Statutes:

Provided that the first Vice-Chancellor shall be eligible for appointment in the manner specified in the Statutes for another term;

(*b*) The first Board of Management shall consist of not more than fifteen members who shall be nominated by the Visitor and they shall hold office for a term of three years; and

(*c*) (*i*) The first Planning Board shall consist of not more than ten members who shall be nominated by the Visitor and they shall hold office for a term of three years;

(*ii*) The Planning Board shall, in addition to the powers and functions conferred on it by this Act, exercise the powers of the Academic Council, until the Academic Council is constituted under the provisions of this Act and the Statutes, and in the exercise of such powers, the Planning Board may co-opt such members as it may decide.

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

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THE FIRST SCHEDULE

(*See* section 4)

THE OBJECTS OF THE UNIVERSITY

1. The University shall endeavour through education, research, training and extension to play a positive role in the development of the country, and, based on the rich heritage of the country, to promote and advance the culture of the people of India and its human resources. Towards this end, it shall:—

(*a*) strengthen and diversify the degree, certificate and diploma courses related to the needs of employment and necessary for building the economy of the country on the basis of its natural and human resources;

(*b*) provide access to higher education for large segments of the population, and in particular, the disadvantaged groups such as those living in remote and rural areas including working people, housewives and other adults who wish to upgrade or acquire knowledge through studies in various fields;

(*c*) promote acquisition of knowledge in a rapidly developing and changing society and to continually offer opportunities for upgrading knowledge, training and skills in the context of innovations, research and discovery in all fields of human endeavour;

(*d*) provide an innovative system of university level education, flexible and open, in regard to methods and pace of learning, combination of courses, eligibility for enrolment, age of entry, conduct of examination and operation of the programmes with a view to promote learning and encourage excellence in new fields of knowledge;

(*e*) contribute to the improvement of the educational system in India by providing a non-formal channel complementary to the formal system and encouraging transfer of credits and exchange of teaching staff by making wide use of texts and other software developed by the University;

(*f*) provide education and training in the various arts, crafts and skills of the country, raising their quality and improving their availability to the people;

(*g*) provide or arrange training of teachers required for such activities or institutions;

(*h*) provide suitable post-graduate courses of study and promote research;

(*i*) provide the counselling and guidance to its students; and

(*j*) promote national integration and the integrated development of the human personality through its policies and programmes.

2. The University shall strive to fulfill the above objects by a diversity of means of distance and continuing education, and shall function in co-operation with the existing Universities and Institutions of higher learning and make full use of the latest scientific knowledge and new educational technology to offer a high quality of education which matches contemporary needs.

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THE SECOND SCHEDULE

(*See* section 24)

STATUTES OF THE UNIVERSITY

1. *The Vice-Chancellor*

(*1*) The Vice-Chancellor shall be a whole-time salaried officer of the University.

(*2*) The Vice-Chancellor shall be appointed by the Visitor from out of a panel of not less than three persons recommended (the names being arranged in the alphabetical order) by a committee constituted under clause (*3*):

Provided that if the Visitor does not approve of any of the persons so recommended he may call for fresh recommendations.

(*3*) The committee referred to in clause (*2*) shall consist of three members of whom two shall be nominated by the Board of Management and one by the Visitor, and the person nominated by the Visitor shall be the Convenor of the committee:

Provided that no person who is an employee of the University or of any affiliated College or a member of any authority of the University shall be nominated to be a member of the Committee.

(*4*) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office, or until he attains the age of sixty-five years, whichever is earlier, and he shall not be eligible for reappointment:

Provided that the Visitor may require any Vice-Chancellor after his term has expired, to continue in office for such period, not exceeding a total period of one year as may be specified by him.

(*5*) The emoluments and other conditions of service of the Vice-Chancellor shall be as follows:—

(*i*) There shall be paid to the Vice-Chancellor a salary of Rs. 3,000 per month and he would be entitled to the free use of 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.

(*ii*) In addition to the salary specified in sub-clause (*i*), the Vice-Chancellor shall be entitled to such other allowances as are admissible to University employees from time to time.

(*iii*) The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Board of Management with the approval of the Visitor from time to time:

Provided that where an employee of the University or a College or of any other university or any institution maintained by or affiliated to such other university is appointed as the Vice-Chancellor, he may be allowed to continue to contribute to any provident fund of which he is a member and the University shall contribute to the account of such person in that provident fund at the same rate at which such person had been contributing immediately before his appointment as Vice-Chancellor:

Provided further that where such employee had been a member of any pension scheme, the University shall make the necessary contribution to such scheme.

(*iv*) The Vice-Chancellor shall be entitled to travelling allowance at such rates as may be fixed by the Board of Management.

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

(*vi*) In addition to the leave referred to in sub-clause (*v*), the Vice-Chancellor shall be entitled to half pay leave at the rate of twenty days per year of every completed year of service and the half pay leave may be availed of as commuted leave on full pay on medical certificate.

(*6*) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise, or if he is unable to perform his duties due to ill health or any other cause, the senior-most Pro-Vice-Chancellor shall perform the duties of the Vice-Chancellor, and if there is no Pro-Vice-Chancellor, the senior-most Director shall perform the functions of the Vice-Chancellor

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until the new Vice-Chancellor assumes his office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be.

2. *Powers and functions of the Vice-Chancellor*

(*1*) The Vice-Chancellor shall be *ex officio* Chairman of the Board of Management, the Academic Council, the Planning Board, and the Finance Committee.

(*2*) The Vice-Chancellor shall be entitled to be present at, and address, any meeting of any other authority or other body of the University, but shall not be entitled to vote thereat unless he is a member of such authority or body.

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

(*4*) The Vice-Chancellor shall exercise control over the affairs of the University and shall give effect to the decisions of all the authorities of the University.

(*5*) The Vice-Chancellor shall have all the powers necessary for the proper maintenance of discipline in the University and he may delegate any such powers to such person or persons as he may deem fit.

(*6*) The Vice-Chancellor shall be empowered to grant leave to any officer of the University and make necessary arrangements for the discharge of the functions of such officer during his absence.

(*7*) The Vice-Chancellor shall grant leave of absence to any employee of the University in accordance with the rules and if he so desires, delegate such powers to another officer of the University.

(*8*) The Vice-Chancellor shall have the power to convene or cause to be convened the meetings of the Board of Management, the Academic Council, the Planning Board and the Finance Committee.

(*9*) The Vice-Chancellor shall have the following further powers, namely:—

(*i*) to appoint such Professors, Readers, Lecturers and other teachers as may be necessary with the prior approval of the Board of Management;

(*ii*) to appoint course writers, script writers, counsellors, programmers, artists and such other persons as may be considered necessary for the efficient functioning of the University;

(*iii*) to make short-term appointments for a period not exceeding six months at a time, of such persons as may be considered necessary for the functioning of the University;

(*iv*) to arrange for the establishment and maintenance of Regional and Study Centres at different places as may be required from time to time and delegate to any employee such powers as are necessary for their efficient functioning.

3. *The Pro-Vice-Chancellors*

(*1*) Every Pro-Vice-Chancellor shall be appointed by the Board of Management on the recommendation of the Vice-Chancellor:

Provided that if any recommendation of the Vice-Chancellor is not accepted by the Board of Management, the matter shall be referred to the Visitor who may either appoint the person recommended by the Vice-Chancellor or request the Vice-Chancellor to recommend another person for consideration by the Board of Management:

Provided further that the Board of Management may, on the recommendation of the Vice-Chancellor, appoint a Professor to perform the functions of a Pro-Vice-Chancellor in addition to his own functions as a Professor.

(*2*) The term of office of a Pro-Vice-Chancellor shall be such as may be decided by the Board of Management, but it shall not in any case exceed three years or until the expiration of the term of office of the Vice-Chancellor, whichever is earlier and he shall be eligible for re-appointment:

Provided that a Pro-Vice-Chancellor shall retire on attaining the age of sixty-five years:

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Provided further that a Pro-Vice-Chancellor shall, while performing the functions of the Vice-Chancellor under clause (*6*) of Statute 1, continue in office notwithstanding the expiration of his term of office as Pro-Vice-Chancellor until a new Vice-Chancellor assumes his office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be

(*3*) (*a*) The salary of a Pro-Vice Chancellor shall be Rs. 2,750 per month and where a Professor is appointed to perform the functions of a Pro-Vice-Chancellor in addition to his own functions as such Professor, he shall draw his pay in his substantive post plus a special pay of Rs. 500 per month, whichever is less.

(*b*) Every Pro-Vice-Chancellor shall be entitled, without payment of rent, to the use of a furnished residence throughout his term of office and no charge shall fall on the Pro-Vice-Chancellor personally in respect of maintenance of such residence.

(*c*) In addition to the salary specified in sub-clause (*a*), a Pro-Vice-Chancellor shall be entitled to such other allowances as are admissible to the employees of the University from time to time.

(*d*) Every Pro-Vice-Chancellor shall be entitled to such terminal benefits as may be fixed by the Board of Management from time to time.

(*e*) The Pro-Vice-Chancellor shall be entitled to subscribe to the contributory provident fund of the University till the end of his tenure:

Provided that where an employee of the University or a College or of any University or institution maintained by or affiliated to such other University is appointed as a Pro-Vice-Chancellor, he shall continue to be governed by the same retirement benefit scheme to which he was entitled prior to his appointment as Pro-Vice-Chancellor till he continues to hold his lien on that post, but under this provision, the pay for the purpose of subscription to the General Provident Fund and subscription to the University Contributory Provident Fund shall be the pay drawn by him as Pro-Vice-Chancellor.

(*f*) Every Pro-Vice-Chancellor shall assist the Vice-Chancellor in respect of such matters as may be specified by the Vice-Chancellor in this behalf from time to time and shall also exercise such powers and perform such functions as may be delegated to him by the Vice-Chancellor.

4. *The Directors*

(*1*) Every Director shall be appointed by the Board of Management on the recommendation of—

(*i*) the Vice-Chancellor, in case the candidate to be appointed is already a teacher of the University; and

(*ii*) a Selection Committee constituted for the purpose, in case the candidate to be appointed is from outside the University.

(*2*) Every Director shall be a whole-time salaried officer of the University:

Provided that one of the Directors shall be in charge of the administrative affairs of the teachers.

(*3*) The emoluments and other conditions of service of the Director shall be prescribed by the Ordinances:

Provided that a Director shall retire on attaining the age of sixty years.

(*4*) A Director shall exercise such powers and perform such functions as may be prescribed by the Ordinances.

5. *The Registrar*

(*1*) Every Registrar shall be appointed by the Board of Management on the recommendation of a Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University.

(*2*) The emoluments and other conditions of service of a Registrar shall be prescribed by the Ordinances:

Provided that a Registrar shall retire on attaining the age of sixty years.

(*3*) A Registrar designated by the Board of Management shall have power to take disciplinary action against such of the employees, excluding teachers and other members as may be specified by the Board of Management by order.

(*4*) An appeal shall lie to an office so designated by the Board of Management against any order made by the Registrar in pursuance of clause (*3*).

(*5*) In cases where an inquiry discloses that a punishment beyond the powers of a Registrar is called for, the Registrar shall, consequent to the enquiry, make a report to the Vice-Chancellor along with his recommendations for such action as the Vice-Chancellor may deem fit:

Provided that an appeal shall lie to the Board of Management against an order of the Vice-Chancellor imposing any penalty.

(*6*) Such of the Registrars as is designed by the Board of Management shall be—

(*i*) the Secretary to the Board of Management;

(*ii*) the Member-Secretary of the Academic Council;

(*iii*) the Member-Secretary of the Planning Board.

(*7*) A Registrar so designated shall—

(*a*) be the custodian of the records, the common seal and such other properties of the University as the Board of Management may commit to his charge;

(*b*) issue notices and convene meetings of the Board of Management, the Academic Council and the Planning Board and of the committees appointed by those authorities;

(*c*) keep the minutes of the meetings of the Board of Management, the Academic Council and the Planning Board and of the committees appointed by such authorities;

(*d*) conduct the official proceedings and correspondence of the Board of Management, the Academic Council and the Planning Board;

(*e*) supply to the Visitor, a copy of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of such meetings;

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

(*g*) perform such other functions as may be specified in the Statutes, Ordinances or Regulations or as may be required from time to time by the Board of Management or the Vice-Chancellor.

6. *The Finance Officer*

(*1*) The Finance Officer shall be appointed by the Board of Management on the recommendation of a Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University, and shall work under the control of the Vice-Chancellor.

(*2*) The emoluments and other conditions of service of the Finance Officer shall be prescribed by the Ordinances:

Provided that the Finance Officer shall retire on attaining the age of sixty years.

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

(*4*) The Finance Officer shall—

(*a*) exercise general supervision of the funds of the University and advise it as regards its financial policies;

(*b*) perform such other financial functions as may be assigned to him by the Board of Management or as may be prescribed by the Statutes or the Ordinances:

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding one lakh of rupees without the previous approval of the Board of Management.

(*5*) Subject to the control of the Vice-Chancellor and the Board of Management, the Finance Officer shall—

(*a*) hold and manage the properties and investments of the University, including trust and immovable properties for fulfilling any of the objects of the University;

(*b*) ensure that the limits fixed by the Finance Committee for recurring and non-recurring expenditure for a year are not exceeded and the money is expended or spent for the purposes for which it was granted or allotted;

(*c*) be responsible for the preparation of the annual accounts and the budget of the University and for their presentation to the Board of Management after they have been considered by the Finance Committee;

(*d*) keep a constant watch on the cash and bank balances and investments;

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

(*f*) ensure that the registers of properties of the University are maintained properly and that stock checking is conducted of equipments and other materials in the offices of the University including Regional Centres, Study Centres and other institutions maintained by the University;

(*g*) bring to the notice of the Vice-Chancellor any unauthorised expenditure or other financial irregularities and suggest appropriate action against persons at fault;

(*h*) call from any office of the University, including Regional Centres, Study Centres and other institutions maintained by the University, any information or reports that he may consider necessary for the performance of his functions.

(*6*) Any receipt given by the Finance Officer or by the person or persons duly authorised in this behalf by the Board of Management shall be a sufficient discharge for payment of moneys to the University.

7. *Powers and functions of the Board of Management*

(*1*) The Board of Management shall have the power of management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(*2*) Subject to the provisions of the Act, the Statutes and the Ordinances, the Board of Management shall, in addition to the other powers vested in it under the Statutes have the following powers, namely:—

(*a*) to create teaching and other academic posts and to define the functions and conditions of service of Professors, Readers, Lecturers and other teachers and other academic staff employed by the University;

(*b*) to prescribe qualifications for teachers and other academic staff;

(*c*) to approve the appointment of such Professors, Readers, Lecturers and other teachers and academic staff as may be necessary on the recommendations of the Selection Committees constituted for the purpose;

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(*d*) to approve appointments to temporary vacancies of any academic staff;

(*e*) to specify the manner of appointment of temporary vacancies of academic staff;

(*f*) to provide for the appointment of visiting Professors, Emeritus Professors, Fellows, artists and writers and determine the terms and conditions of such appointments;

(*g*) to manage and regulate the finances, accounts, investments, property of the University and all other affairs of the University and to appoint such agents as may be considered fit;

(*h*) to invest any money belonging to the University, including any unapplied income, in such stocks, funds, shares or securities as it thinks fit or in the purchase of immovable property in India with like power of varying such investment from time to time, provided that no action under this clause shall be taken without consulting the Finance Committee;

(*i*) to create administrative, ministerial and other necessary posts after taking into account the recommendations of the Finance Committee and to specify the manner of appointment thereto;

(*j*) to regulate and enforce discipline amongst the employees in accordance with the Statutes and Ordinances;

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

(*l*) to entertain, adjudicate upon, or redress the grievances of the employees and the students of the University who may, for any reason, feel aggrieved;

(*m*) to fix the remuneration payable to course writers, counsellors, examiners and invigilators, and travelling and other allowances payable, after consulting the Finance Committee;

(*n*) to select the common seal for the University and to provide for the use of such seal;

(*o*) to delegate any of its powers to the Vice-Chancellor, Pro-Vice-Chancellors, Registrars, the Finance Officer or any other officer, employee or authority of the University, or to a committee appointed by it;

(*p*) to institute fellowships, scholarships, studentships; and

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

(*3*) The Board of Management shall exercise all the powers of the University not otherwise provided for by the Act, Statutes, Ordinances and the Regulations for the fulfilment of the objects of the University.

8. *Quorum for a meeting of the Board of Management*

Six members of the Board of Management shall form a quorum for a meeting of the Board.

9. *Power of the Academic Council*

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

(*a*) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instruction, evaluation or research or improvement in academic standards;

(*b*) to consider matters of general academic interest either on its own initiative or on a reference from the Planning Board or a School of Studies or the Board of Management and to take appropriate action thereon; and

(*c*) to frame such regulations and rules consistent with the Statutes and the Ordinances regarding the academic functioning of the University, including discipline, admissions, award of fellowships and studentships, fees and other academic requirements.

10. *The Planning Board*

(*1*) The Planning Board shall consist of the more than ten members.

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(*2*) All the members of the Planning Board, other than the Vice-Chancellor, shall hold office for a term of three years.

(*3*) It shall be the responsibility of the Planning Board to design and formulate appropriate programmes and activities of the University, and it shall, in addition, have the right to advise the Board of Management and the Academic Council on any matter which it may deem necessary for the fulfilment of the objects of the University:

Provided that in case there is any difference of opinion between the Planning Board and the Academic Council on any matter, it shall be referred to the Board of Management whose decision shall be final.

(*4*) The Planning Board may constitute such committees as may be necessary for planning and monitoring the programmes of the University.

(*5*) The Planning Board shall meet at such intervals as it shall deem expedient, but it shall meet at least twice in a year.

11. *The Finance Committee*

(*1*) The Finance Committee shall consist of not more than seven members.

(*2*) All the members of the Finance Committee, other than the Vice-Chancellor, shall hold office for a term of three years from the dates on which they become members of the Committee.

(*3*) Four members of the Finance Committee shall form a quorum for a meeting of the Committee.

(*4*) The Finance Committee shall meet at least thrice a year to examine the accounts and scrutinise the expenditure.

(*5*) All proposals relating to revision of grade, upgradation of the scales and those items which are not included in the budget, shall be examined by the Finance Committee before they are considered by the Board of Management.

(*6*) The annual accounts and the financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments, and thereafter submitted to the Board of Management within the overall ceiling fixed by the Committee.

(*7*) The Finance Committee shall fix the limits for the total recurring and non-recurring expenditure for the year, based on income and resources of the University, and no expenditure shall be incurred by the University in excess of the limits so fixed.

12. *Selection Committees*

(*1*) There shall be Selection Committee for making recommendations to the Board of Management for appointments to the posts of Professors, Readers, Lecturers and other academic staff and heads of institutions maintained by the University.

(*2*) Each of the Selection Committees for appointment to the post of Professors, Readers, Lecturers and the academic staff shall consist of the following members, namely:—

(*a*) the Vice-Chancellor;

(*b*) a Pro-Vice-Chancellor or the Director of the School concerned nominated by the Vice-Chancellor;

(*c*) a person nominated by the Visitor; and

(*d*) three experts not connected with the University to be nominated by the Vice-Chancellor in such manner as may be specified in the Ordinances.

(*3*) The quorum for a meeting of a Selected Committee shall be four, which will include at least two experts.

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

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(*5*) If the Board of the Management is unable to accept the recommendations made by a Selection Committee, it shall record its reasons for such non-acceptance and submit the case to the Visitor for final orders.

13. *Special mode of appointment*

(*1*) Notwithstanding anything contained in Statute 12, the Board of Management may invite a person of high academic distinction and professional attainments to accept the post of a Professor or a Reader or equivalent academic post in the University on such terms and conditions as it may deem fit, and appoint the person to such post.

(*2*) The Board of Management may appoint a teacher or any other academic staff working in any other university or organisation for teaching or for undertaking a project or any work on such terms and conditions as may be determined by the Board in accordance with the manner specified by the Statutes.

14. *Appointment for a fixed tenure*

The Board of Management may appoint a person selected in accordance with the procedure laid down in the Statutes for a fixed tenure on such terms and conditions as it may deem fit.

15. *Recognised Teachers*

(*1*) The qualifications for recognition of persons working in other universities, Institutions or organisations as teachers shall be prescribed by the Ordinances.

(*2*) The manner of recognising teachers, the period of recognition and withdrawal of recognition shall be prescribed by the Ordinances.

16. *Committees*

(*1*) Any authority of the University may appoint as many standing or special committees as it may deem fit, and may appoint to such committees, persons who are not members of such authority.

(*2*) Any committee appointed under clause (*1*) may deal with any subject delegated to it subject to the subsequent confirmation by the authority appointing it.

17. *Terms and conditions of service and code of conduct of the teachers and other academic staff of the University*

(*1*) All the teachers and other academic staff of the University shall, in the absence of any contract to the contrary, be governed by the terms and conditions of service and code of conduct as are specified in the Statutes and the Ordinances.

(*2*) Every teacher and member of other academic staff of the University shall be appointed on a written contract, the form of which shall be specified in the Statutes.

(*3*) A copy of every contract referred to in clause (*2*) shall be deposited with the Registrar.

18. Terms and conditions of service and code of conduct of other employees of the University

All the employees of the University, other than the teachers and other academic staff of the University, shall, in the absence of any contract to the contrary, be governed by the terms and conditions of service and code of conduct as are specified in the Statutes and the Ordinances.

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19. *Removal of employees of the University*

(*1*) Where there is an allegation of misconduct against a teacher, a member of the academic staff or other employee of the University, the Vice-Chancellor, in the case of the teacher or member of the academic staff, and the authority competent to the appoint (hereinafter referred to as appointing authority) in the case of other employee, may, by order in writing, place such teacher, member of the academic staff or other employee under suspension and shall forthwith report to the Board of Management the circumstances in which the order was made.

(*2*) Notwithstanding anything contained in the terms of the contract of appointment or of any other terms and conditions of service of the employees, the Board of Management in respect of teachers and other academic staff, and the appointing authority, in respect of other employees, shall have the power to remove a teacher or a member of the academic staff, or as the case may be, other employee on grounds of misconduct.

(*3*) Save as aforesaid, the Road of Management, or as the case may be, the appointing authority, shall not be entitled to remove any teacher, member of the academic staff or other employee except for a good cause and after giving three months notice or on payment of three months' salary in lieu thereof.

(*4*) No teacher, member of the academic staff or other employee shall be removed under clause (*2*) or clause (*3*) unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(*5*) The removal of a teacher, member of the academic staff or other employee shall take effect from the date on which the order of removal is made:

Provided that where the teacher, member of the academic staff or other employee is under suspension at the time of his removal, such removal shall take effect from the date on which he was placed under suspension.

(*6*) Notwithstanding anything contained in the foregoing provisions of this Statute, a teacher, member of the academic staff or other employee may resign,—

(*a*) if he is a permanent employee, only after giving three months' notice in writing to the Board a Management or the appointing authority, as the case may be, or by praying three months' salary in lieu thereof;

(*b*) if he is not a permanent employee, only after giving one month's notice in writing to the Board of Management or, as the case may be, the appointing authority or by paying one month's salary in lieu thereof:

Provided that such resignation shall take effect only on the date on which the resignation is accepted by the Board of Management or the appointing authority, as the case may be.

20. *Maintenance of discipline amongst students of the University*

(*1*) The powers regarding discipline and disciplinary action in regard to the students of the University shall vest with the Vice-Chancellor. The Vice-Chancellor may delegate all or any of his powers, as he may deem fit.

(*2*) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action as he may deem appropriate of the maintenance of discipline, the Vice-Chancellor may, in the exercise of his power, by order, direct that any student or students be expelled or rusticated for a specified period and not admitted to a course or courses of study in the University or a recognised institution for a stated period, or be punished with a fine for an amount to be specified in the order, or debar him from taking an examination or examinations conducted by the University or a recognised institution for one or more years or that the result of the student or students concerned in the examination or examinations in which he or she has appeared to be cancelled.

(*3*) The heads of recognised institutions shall have the authority to exercise all such disciplinary powers over the students in their respective institutions as may be necessary for proper conduct of such institution.

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STATEMENT OF OBJECTS AND REASONS

Despite the tremendous expansion of the formal system of higher education since Independence, the pressure on the system is continuously increasing. Indeed, the system has not been able to provide an effective means to equalise educational opportunities. The rigidities of the system requiring, among others, attendance in classrooms have been a disincentive to many learners. Moreover, the combinations of subjects are inflexible and are often not relevant to the needs of the learners. This has resulted in a pronounced mismatch between the contents of most programmes and the needs of the development sectors.

The experience of several developed and developing countries indicates that distance education programmes can provide an alternative system that will be cost-effective and relevant, while at the same time ensuring effective equalisation of opportunities. Through a diversity of means, including the utilisation of modern communication technology, the distance education system can provide more flexible and open learning programmes that will suit the needs of various categories of learners, especially the weaker sections of society. The introduction and promotion of distance education in the educational system of the country is, therefore of great significance.

The Bill seeks to establish a National Open University at Delhi to achieve the above objectives.

NEW DELHI;
The 17 May, 1985.

K. C. PANT.

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