THE BANARAS HINDU UNIVERSITY ACT, 1915

(Modified as on 3rd December 2018)

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THE SCHEDULE.

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THE BANARAS HINDU UNIVERSITY ACT, 1915

ACT NO. 16 OF 1915

[1*st October*, 1915.]

An Act to establish and incorporate a teaching and residential Hindu University at [1][Banaras].

WHEREAS it is expedient to establish and incorporate a teaching and residential Hindu University at [1][Banaras], and to dissolve the Hindu University Society, a Society registered under the Societies Registration Act, 1860 (21 of 1860), and to transfer to, and vest in, the said University, all property and rights now vested in the said Society; It is hereby enacted as follows:—

1. Short title and commencement.—(*1*) This Act may be called the [1][Banaras] Hindu University Act, 1915.

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

[3][**2. Definitions.—**In this Act, unless the context otherwise requires,—

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

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

(*c*) "Court" means the University Court;

(*d*) "Executive Council" means the University Executive Council;

(*e*) "Faculty" means a Faculty of the University;

(*f*) "Ordinances" means the Ordinances of the University for the time being in force;

(*g*) "Regulations" means the Regulations of the University for the time being in force;

(*h*) "Statutes" means the Statutes of the University for the time being in force;

(*i*) "teacher" means a salaried professor, reader, lecturer or tutor who imparts instruction in a Faculty of, or in a college maintained by, the University and includes any other person who is declared to be a teacher by the Academic Council;

(*j*) "University" means the Banaras Hindu University.]

3. Incorporation.—[4][(*1*) The Chancellor and the Vice-Chancellor and the members of the Court, the Executive Council and the Academic Council, for the time being shall be a body corporate by the name of the Banaras Hindu University.]

(*2*) The University shall have perpetual succession and a common seal, and shall sue, and be sued, by the name first aforesaid.

[5]* * * * *

1. Subs. by Act 55 of 1951, s. 2, for "Benares" (w.e.f. 3-11-1951).
2. 1st April, 1916, *see* Gazette of India, 1916, Pt. I. P. 352.
3. Subs. by Act 52 of 1966, s. 2, for section 2 (w.e.f. 31-12-1966).
4. Subs. by s. 3, *ibid.*, for sub-section (*1*) (w.e.f. 31-12-1966).
5. Sub-section (*3*) omitted by s. 3, *ibid.* (w.e.f. 31-12-1966).

[1][**4. University open to all classes, castes and creeds.—**The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted therein, as a teacher or student, or to hold any office therein, or to graduate thereat, or to enjoy or exercise any privilege thereof, except in respect of any particular benefaction accepted by the University, where such test is made a condition thereof by any testamentary, or other instrument creating such benefaction:

Provided that nothing in this section shall be deemed to prevent religious instruction being given in the manner prescribed by the Ordinances [2][to those who, or, in the case of minors, whose parents or guardians have given their consent thereto in writing].

4A. Powers of the University.—The University shall have the following powers, namely:—

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

[3][(*2*) to promote the study of religion, literature, history, science and art of Vedic, Hindu, Buddhist, Jain, Islamic, Sikh, Christian, Zoroastrian and other civilisations and cultures;

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

(*a*) who shall have pursued a course of study in the University or in a college and passed the examination or who shall have carried on research work in the manner prescribed by the Ordinances, or

(*b*) who are teachers of the University or any college under conditions laid down in the Statutes or the Ordinances and shall have passed the examinations of the University under like conditions, or

(*c*) who, being women, shall have pursued a course of private study in subjects provided for by the Ordinances and shall have passed the examinations of the University in their subjects under conditions laid down in the Ordinances;]

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

(*5*) to grant such diplomas [4][or certificates] to, and to provide such lectures and instruction for, persons not being members of the University as the University may determine;

[4][(*5A*) To withdraw degrees, diplomas, certificates and other academic distinctions;]

(*6*) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine;

(*7*) to institute professorships, readerships, lectureships and other teaching posts required by the University and to appoint persons to such professorships, readerships and lectureships and other posts;

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1. Subs. by Act 55 of 1951, s. 3, for sub-sections (*4*), (*5*) and (*6*) (w.e.f. 3-11-1951).

2. Subs. by Act 52 of 1966, s. 4, for "to those who have consented to receive it" (w.e.f. 31-12-1966).

3. Subs. by s. 5, *ibid*., for clauses (*2*) and (*3*) (w.e.f. 31-12-1966).

4. Ins. by s. 5, *ibid*. (w.e.f. 31-12-1966).

(*8*) to institute and award fellowships (including travelling fellowships), scholarships, studentships, exhibitions and prizes in accordance with the Statutes and the Ordinances;

(*9*) to institute and maintain halls and hostels and to recognise places of residence for students of the University;

[1][(*9A*) to institute, establish, maintain, reconstitute, amalgamate, divide or abolish departments, faculties or colleges and carry out inspection thereof and inquiry in relation thereto;]

(*10*) to demand and receive such fees and other charges as may be prescribed by the Ordinances;

(*11*) to supervise and control the residence and to regulate the discipline of students of the University, and to make arrangements for promoting their health [1][and welfare].

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

[1][(*12A*) to regulate and enforce discipline among salaried officers, teachers and other employees of the University in accordance with the Statutes and Ordinances;]

(*13*) to create administrative, ministerial and other necessary posts and to make appointments thereto; [2]***

[1][(*13A*) to acquire, hold, manage and dispose of property, movable or immovable, including trust or endowed property, for the purposes of the University;

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

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

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

(*2*) 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 [3][of any college] and of any institution maintained by 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 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 be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.

(*4*) The Visitor may address the Vice-Chancellor with reference to the result of such inspection and inquiry, and 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.

(*5*) The Executive Council shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it is proposed to take or has been taken upon the result of such inspection or inquiry.

(*6*) 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 be bound to comply with such directions.

1. Ins. by Act 52 of 1966, s. 5 (w.e.f. 31-12-1966).
2. The word "and" omitted by s. 5, *ibid.* (w.e.f. 31-12-1966).
3. Ins. by s. 6, *ibid.* (w.e.f. 31-12-1966).

(*7*) 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 University to show cause why such an order should not be made and if any cause is shown within a reasonable time, shall consider the same.]

[1][**6. Officers of the University.—**The following shall be the officers of the University, namely:—

(*a*) the Chancellor,

(*b*) the Vice-Chancellor,

(*c*) the Rector,

(*d*) the Registrar,

(*e*) the Finance Officer,

(*f*) the Deans of Faculties,

(*g*) the Dean of Students,

(*h*) the Librarian,

(*i*) the Chief Proctor,

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

7. Chancellor.—(*1*) The Chancellor shall be elected by the Court and shall hold office for a term of three years:

Provided that the Chancellor shall, notwithstanding the expiration of his term, continue to hold his office until the election of his successor.

(*2*) If the office of the Chancellor becomes vacant, the functions of his office shall, until some person is elected under sub-section (*1*) to the vacant office, be performed by the Vice-Chancellor.

7A. Powers of Chancellor.—(*1*) The Chancellor shall, by virtue of his office, be the Head of the University.

(*2*) The Chancellor shall, if present, preside at convocation of the University for conferring degrees and at all meetings of the Court.

7B. Vice-Chancellor.—[2][(*1*) The Vice-Chancellor shall be appointed by the Visitor on the recommendation of a Selection Committee constituted by the Visitor for the purpose:

Provided that, if the Visitor does not approve of such recommendation, he may call for one or more fresh recommendations.]

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

(*4*) The Vice-Chancellor shall hold office for a term of [3][three years] from the date on which he enters upon his office and shall, on the expiration of his term of office, be [4][eligible for reappointment to that office for a second term]:

Provided that the Vice-Chancellor shall, notwithstanding the expiration of his term, continue to hold his office until his successor is appointed and enters upon his office.

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1. Subs. by Act 52 of 1966, s. 7, for sections 6 and 7 (w.e.f. 31-12-1966).
2. Subs. by Act 34 of 1969, s. 2, for sub-sections (*1*) and (*2*) (w.e.f. 5-9-1969).
3. Subs. by s. 2, *ibid.*, for "five years" (w.e.f. 5-9-1969).
4. Subs. by s. 2, *ibid.*, for "ineligible for reappointment to that office" (w.e.f. 5-9-1969).

(*5*) The emoluments and other terms and conditions of service of the Vice-Chancellor shall be prescribed by the Statutes.

(*6*) If the office of the Vice-Chancellor becomes vacant, the functions of his office shall, until some person is appointed under sub-section (*1*) to the vacant office, be performed by the Rector:

Provided that if there is no Rector, the Registrar shall carry on the current duties of the Vice-Chancellor and call a meeting of the Executive Council forthwith and take its directions for the carrying on of the work of the University.

7C. Powers and duties of Vice-Chancellor.—(*1*) The Vice-Chancellor who shall be the principal executive and academic officer of the University, shall take rank next to the Chancellor and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of its authorities.

(*2*) The Vice-Chancellor shall be the *ex officio* Chairman of the Executive Council, the Academic Council [1]*** and the Finance Committee and shall, in the absence of the Chancellor, preside at any convocation of the University for conferring degrees and also at any meeting of the Court; he shall be entitled to be present at and to address any meeting of any authority or board or committee of the University but shall not be entitled to vote thereat unless he is a member of such authority or board or committee.

(*3*) It shall be the duty of the Vice-Chancellor to see that the provisions of this Act, the Statutes, the Ordinances and the Regulations are duly observed.

(*4*) The Vice-Chancellor shall have power to convene meetings of the Court, the Executive Council, [2][and the Academic Council] and shall perform all such acts as may be necessary to carry out the provisions of this Act, the Statutes and the Ordinances.

(*5*) If, in the opinion of the Vice-Chancellor, any emergency has arisen which requires immediate action to be taken, the Vice-Chancellor shall take such action as he deems necessary and shall report the same for approval at the next meeting to the authority which, in the ordinary course, would have dealt with the matter:

Provided that, if the action taken by the Vice-Chancellor is not approved by the authority concerned, he may refer the matter to the Visitor, whose decision thereon shall be final.

Provided further that, where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person, shall be entitled to prefer, within thirty days from the date on which he receives notice of such action, an appeal to the Executive Council.

(*6*) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes, the Ordinances or the Regulations.]

8. Powers and duties of officers, terms of office and filling of casual vacancies.—Subject to the provisions of this Act, the powers and duties of [3][the other officers of the University] the term for which they shall hold office, and the filling up of casual vacancies in such offices, shall be provided for by the Statutes.

[4][**8A. Authorities of the University.—**The following shall be the authorities of the University, namely:—

(*a*) the Court,

1. The words ", the Standing Committee of the Academic Council" omitted by Act 34 of 1969, s. 3 (w.e.f. 5-9-1969).
2. Subs. by s. 2, *ibid.*, for ", the Academic Council and the Standing Committee of the Academic Council" (w.e.f. 5-9-1969).
3. Subs. by Act 52 of 1966, s. 8, for "the officers of the University" (w.e.f. 31-12-1966).
4. Ins. by s. 9, *ibid*. (w.e.f. 31-12-1966).

(*b*) the Executive Council,

(*c*) the Academic Council,

[1]* * * * *

(*e*) the Finance Committee,

(*f*) the Faculties,

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

[2][[3][**9. The Court.—**The Court shall be an advisory body and its functions shall be—

(*a*) to advise the Visitor in respect of any matter which may be referred to it for advice;

(*b*) to advise any authority of the University in respect of any matter which may be referred to the Court by such authority; and

(*c*) to perform such other duties and exercise such other powers as may be assigned to it by the Visitor or under this Act.]

10. Executive Council.—(*1*) The Executive Council shall, subject to the control of the [4][Visitor] be the executive body of the University and shall have charge of the management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(*2*) Subject to the provisions of this Act, the Executive Council shall exercise such other powers and perform such other duties as may be conferred or imposed on it by the Statutes or the Ordinances.]

11. The Academic Council.—(*1*) The [5][Academic Council] shall be the academic body of the University and, subject to the Act, the Statutes and [6][Ordinances] shall have [7]*** charge of the organization of] [8][study and research] in the University and the Colleges, the courses of study and the examination [9]*** of students and the conferment of ordinary and honorary degrees [10][and shall exercise such other powers and perform such other duties as may be conferred or imposed on it by the Statutes and Ordinances, and shall have the right to advise the Executive Council on all academic matters].

[11]* * * * *

12. [*The Standing Committee of the Academic Council*.] *Omitted by the Banaras Hindu University* (*Amendment*) *Act* (34 *of* 1969), s. 7 (w.e.f. 5-9-1969).

[12][**12A. Other authorities.—**Subject to the provisions of the this Act, the functions, powers and duties of the other authorities of the University shall be provided for by the Statutes.

12B. Disqualifications.—(*1*) A person shall be disqualified for being chosen as, and for being a member of any of the authorities of the University—

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

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1. Clause (*d*) omitted by Act 34 of 1969, s. 4 (w.e.f. 5-9-1969).
2. Subs. by s. 5, *ibid*., for sections 9 and 9A (w.e.f. 5-9-1969).
3. Subs. by Act 52 of 1966, s. 10, for sections 9 and 10 (w.e.f. 31-12-1966).
4. Subs. by Act 34 of 1969, s. 6, for "Court" (w.e.f. 5-9-1969).
5. Subs. by Act 55 of 1951, s. 2, for "Senate" (w.e.f. 3-11-1951).
6. Subs. by s. 2, *ibid.,* for "Regulations" (w.e.f. 3-11-1951).
7. The word "entire" omitted by s. 7, *ibid.* (w.e.f. 3-11-1951).
8. Subs. by Act 52 of 1966, s. 11, for "instruction" (w.e.f. 31-12-1966).
9. The words "and discipline" omitted by s. 11, *ibid.* (w.e.f. 31-12-1966).
10. Ins. by s. 11, *ibid.* (w.e.f. 31-12-1966).
11. Sub-section (*2*) omitted by Act 55 of 1951, s. 7 (w.e.f. 3-11-1951).
12. Subs. by Act 52 of 1966, s. 12, for section 12A (w.e.f. 31-12-1951).

(*b*) if he is an undischarged insolvent;

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

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

13. Audit of accounts.—[1][(*1*) The accounts of the University shall, once at least in every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India.]

(*2*) The accounts, when audited, shall be published in the Official Gazette and a copy of the accounts, together with the auditor's reports, shall be [2][submitted [3]*** to the Visitor].

[4][(*3*) A copy of the accounts, together with the auditor's report, 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.]

[5][**13A. Annual Report.—**(*1*) The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or before such date as may be prescribed by the Statutes and shall be considered by the Court in its annual meeting.

(*2*) The Court may communicate its comments thereon to the Executive Council.

(*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 Houses of Parliament.]

14. Permanent reserve to cover recurring charges.—The University shall invest, and keep invested, in securities in which trust funds may be invested, in accordance with the provisions of the law relating to trusts in [6][India], a sum of [7][forty-five lakhs of rupees] as a permanent endowment to meet the recurring charges of the University other than charges in respect of scholarships, prizes and rewards:

Provided that—

(*1*) any Government securities, as defined by the Indian Securities Act, [8][1920] which may be held by the University shall, for the purpose of this section, be reckoned at their face-value, and

(*2*) [9][the aforesaid sum of forty-five lakhs shall be reduced by such sum as, at the commencement of the Banaras Hindu University (Amendment) Act, 1966 (52 of 1966)] the Central Government shall, by order in writing, declare to be the total capitalised value, for the purposes of this section—

(*a*) of all permanent recurring grants of money which have been made to the University [10][by any Ruler of any Indian State] and

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

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1. Subs. by Act 55 of 1951, s. 9, for sub-section (*1*) (w.e.f.
2. Subs. by Act 52 of 1966, s. 13, for "submitted to the Visitor" (w.e.f. 31-12-1966).
3. The words "to the Court and" omitted by Act 34 of 1969, s. 8 (w.e.f. 5-9-1969).
4. Ins. by Act 25 of 2008, s. 2 (w.e.f. 5-12-2008).
5. Ins. by s. 3, *ibid*. (w.e.f. 5-12-2008).
6. Subs. by Act 55 of 1951, s. 10, for "the States" (w.e.f. 3-11-1951).
7. Subs. by Act 52 of 1966, s. 14, for "fifty lakhs of rupees" (w.e.f. 31-12-1966).
8. Subs. by s. 14, *ibid*., for "1886" (w.e.f. 31-12-1966).
9. Subs. by s. 14, *ibid*., for "the aforesaid sum of fifty lakhs shall be reduced by such sum as, at the commencement of this Act" (w.e.f. 31-12-1966).
10. Subs. by s. 14, *ibid*., for "by any Indian Prince or Chief" (w.e.f. 31-12-1966).

15. Maintenance and admission to privileges of Colleges.—(*1*) The Central Hindu College, [1][Banaras], shall, from such [2]date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, be deemed to be a College maintained by the University, and the University may found and maintain other colleges and [3][institutions including High Schools, within a radius of fifteen miles from the main temple of the University] for the purpose of carrying out instruction and research.

[4][(*1A*) The University may also found and maintain (within or beyond the aforementioned limits) special centers and laboratories for research in Humanities, Science and Technology, Education, Medicine and other professional subjects and in other spheres of learning and knowledge.]

(*2*) With the approval of the [5][Academic Council] and the sanction of the Visitor, and subject to the Statutes and [6][Ordinances] the University may admit colleges and [7][institutions including High Schools, within the aforementioned limits] to such privileges of the University, subject to such conditions, as it thinks fit.

[4][Provided that no new college or institution started after the commencement of the Banaras Hindu University (Amendment) Act, 1966, shall be admitted to any such privileges of the University.]

16. Recognition of degrees.—The degrees, diplomas, certificates and other academic distinctions granted by the University, shall be recognized by [8][the Central and State Governments] to the same extent and, in the same manner as the corresponding degrees, diplomas, certificates and other academic distinctions granted by any other University incorporated by [9][a Central Act].

[10][**16A. Pension or Provident Fund.—**The University shall constitute for the benefit of its officers, teachers and other [11][employees] such pension or provident fund [12][or provide such insurance scheme] as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.]

[13][**16B. Conditions of service of officers and teachers.—**(*1*) Every salaried officer and teacher of the University shall be appointed under a written contract, which shall be lodged with the University and a copy of which shall be furnished to the officer or teacher concerned.

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

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

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

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

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1. Subs. by Act 55 of 1951, s. 2, for "Benares" (w.e.f. 3-11-1951).
2. 1st October, 1917, see Gazette of india, 1917, Pr. I, P. 1641.
3. Subs. by Act 55 of 1951, s. 11, for "institutions in Benares" (w.e.f. 3-11-1951).
4. Ins. by Act 52 of 1966, s. 15 (w.e.f. 31-12-1966).
5. Subs. by Act 55 of 1951, s. 2, for "Senate" (w.e.f. 3-11-1951).
6. Subs. by s. 2, *ibid.,* for "Regulations" (w.e.f. 3-11-1951).
7. Subs. by s. 11, *ibid.,* for "institutions in Benares" (w.e.f. 3-11-1951).
8. Subs. by the A.O. 1948, for "any Government in British India".
9. Subs. by the A.O. 1950, for "an act of the Central Legislature".
10. Ins. by Act 29 of 1930, s. 4.
10. Subs. by Act 52 of 1966, s. 14, for "servants" (w.e.f. 31-12-1966).
11. Ins. by Act 55 of 1951, s. 12 (w.e.f. 3-11-1951).
12. Ins. by Act 52 of 1966, s. 17 (w.e.f. 31-12-1966).

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

16C. Proceedings not to be invalidated by vacancies, etc.—No act or proceedings of any authority or board or committee of the University shall be invalid merely by reason, of—

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

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

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

16D. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against any officer, teacher or other employee of the University for anything which is in good faith done or intended to be done by hi m under this Act or the Statutes or the Ordinances or the Regulations.]

[1][**17. Statutes.—**(*1*) Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

(*a*) the constitution of the Court and the constitution, powers and duties of the other authorities of the University other than the powers and duties provided for in this Act;

(*b*) [2][the appointment by election, nomination or otherwise] of members of the authorities of the University, their continuance in office, the filling of vacancies of members thereof and all other matters relating to the authorities;

(*c*) the appointment, powers and duties of the officers of the University;

(*d*) the institution of degrees, diplomas, certificates and other academic distinctions;

(*e*) the conferment of honorary degrees;

(*f*) the holding of convocation to confer degrees;

(*g*) the establishment, reconstitution, amalgamation, division or abolition of faculties, departments, hostels, colleges and institutions;

(*h*) the withdrawal of degrees, diplomas, certificates and other academic distinctions;

(*i*) conditions under which colleges and institutions including High Schools may be admitted to the privileges of the University and the withdrawal of such privileges;

(*j*) the institution of fellowships, scholarships, studentships, medals and prizes;

(*k*) the registration of graduates and the maintenance of a register of registered graduates;

(*l*) the classification and the manner of appointment of teachers in the University and the colleges;

(*m*) the constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of the officers, teachers and other employees of the University;

(*n*) the meetings of the Court, the Executive Council, the Academic Council, [3]*** the Finance Committee or the Faculties, the quorum at such meetings and the procedure to be followed in the conduct of their bus iness;

(*o*) the discipline of students;

(*p*) all other matters which are to be or may be provided for by the Statutes.

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1. Subs. by Act 52 of 1966, s. 18, for section 17 (w.e.f. 31-12-1966).
2. Subs. by Act 34 of 1969, s. 9, for "the election and appointment" (w.e.f. 5-9-1969).
3. The words "the Standing Committee of the Academic Council" omitted by s. 9, *ibid.* (w.e.f. 5-9-1969).

(*2*) The Statutes in force at the commencement of the Banaras Hindu University (Amendment) Act, 1966 (52 of 1966), shall be those set out in the Schedule to this Act.

[1][(*3*) The Executive Council may, from time to time, make new or additional statutes or may amend or repeal the Statutes.]

[2][(*4*)] Every new Statute or addition to a Statute or any amendment or repeal of a Statute shall require the previous approval of the Visitor who may sanction or disallow it or remit it for further consideration.]

[3][**18. Ordinances.—**(*1*) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

(*a*) the admission of students to the University and their enrolment as such;

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

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

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

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

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

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

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

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

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

(*j*) the giving of religious instruction;

(*k*) the emoluments and the terms and conditions of service of [6][employees] of the University;

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

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

(*m*) the supervision and inspection of colleges and other institutions admitted to privileges of the University under sub-section (2) of section 15; [7]***

1. Subs. by Act 34 of 1969, s. 9, for sub-sections (*3*), (*4*), (*5*) and (*6*) (w.e.f. 5-9-1969).
2. Sub-section (*7*) renumbered as sub-section (*4*) thereof by s. 9, *ibid.* (w.e.f. 5-9-1969).
3. Subs. by Act 55 of 1951, s. 14, for sections 18 and 19 (w.e.f. 3-11-1951).
4. Subs. by Act 52 of 1966, s. 19, for clause (*c*) (w.e.f. 31-12-1966).
5. Ins. by s. 19, *ibid*. (w.e.f. 31-12-1966).
6. Subs. by s. 19, *ibid*., for "teachers" (w.e.f. 31-12-1966).
7. The word "and" omitted by s. 19, *ibid.* (w.e.f. 31-12-1966).

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

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

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

(*2*) The Regulations of the University as in force immediately before the commencement of the Banaras Hindu University (Amendment) Act, 1951 (55 of 1951), shall be deemed to be the first Ordinances made under this section.

(*3*) The said Ordinances may be amended, repealed or added to at any time by the Executive Council:

[2][Provided that no Ordinance shall be made—

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

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

unless a draft of such Ordinance has been proposed by the Academic Council.]

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

[3][(*5*) Where the Executive Council has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may appeal to the Visitor who may pass such order thereon as he thinks fit.

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

(*7*) The Visitor may, by order, direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his power of disallowance, and any order of suspension under this sub-section shall cease to have effect on the expiration of one month from the date of such order.]

19. Power to make Regulations.—(*1*) The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances—

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

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

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

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

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1. Ins. by Act 52 of 1966, s. 19 (w.e.f. 31-12-1966).
2. Subs. by s. 19, *ibid*., for the proviso (w.e.f. 31-12-1966).
3. Subs. by Act 34 of 1969, s. 10, for sub-sections (*5*), (*6*), (*7*) and (*8*) (w.e.f. 5-9-1969).

(*3*) The Executive Council may direct the amendment, in such manner as it may specify, of any Regulation made under this section or the annulment of any such Regulation:

[1][Provided that any authority of the University which is dissatisfied with any such direction may, within two months of the date of such direction, appeal to the [2][Visitor] whose decision thereon shall be final.]

[3][(*4*) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.

(*5*) 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.]

[4][**19A. Constitution of boards and committees.—**Where any authority of the University is given power by this Act or by the Statutes to appoint boards or committees, such board or committee shall, unless there is some special provision to the contrary, consist of members of the authority concerned and of such other persons (if any) as the authority in each case may think fit.]]

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

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

(*3*) Any will, deed or other document, whether made or executed before or after the commencement of this Act, which contains any bequest, gift or trust in favour of the Central Hindu College or the said Society shall, on the commencement of this Act, be construed as if the University were therein named, instead of the said College or Society

THE SCHEDULE.—*For the Statutes of the University see University Calendar*.

1. Added by Act 52 of 1966, s. 20, (w.e.f. 31-12-1966). Earlier it was omitted by Act 34 of 1958, s. 6.
2. Subs. by Act 34 of 1969, s. 6, for "Court" (w.e.f. 5-9-1969).
3. Ins. by Act 4 of 2005, s. 2 and the Schedule (w.e.f. 11-1-2005).
4. Subs. by Act 52 of 1966, s. 21, for section 19A (w.e.f. 31-12-1966).