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THE ALIGARH MUSLIM UNIVERSITY ACT, 1920

ACT NO. 40 OF 1920

[14*th September*, 1920.]

An Act to [1]*** incorporate a teaching and residential Muslim University at Aligarh.

WHEREAS it is expedient to [1]*** incorporate a teaching and residential Muslim University at Aligarh, and to dissolve the Societies registered under the Societies Registration Act, 1860 (21 of 1860), which are respectively known as the Muhammadan Anglo-Oriental College, Aligarh, and the Muslim University Association, and to transfer to and vest in the said University all properties and rights of the said Societies and of the Muslim University Foundation Committee;

It is hereby enacted as follows: —

1. Short title and commencement.—(*1*) This Act may be called the Aligarh Muslim University Act, 1920.

(*2*) It shall come into force on such date[2] as the [3][Central Government] may, by notification in the [4][Official Gazette], appoint.

[5]**[2. Definitions.—** In this Act and in all Statutes made hereunder, unless the context otherwise requires,—

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

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

(*c*) "Chancellor", "Pro-Chancellor" and "Vice-Chancellor", mean respectively, the Chancellor, Pro-Chancellor and Vice-Chancellor of the University;

(*d*) "Court" means the Court of the University;

(*e*) "Department" means a Department of Studies and includes a Centre of Studies established by the Ordinances;

(*f*) "Executive Council" means the Executive Council of the University;

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

(*h*) "Hall" means a unit of residence or of corporate life maintained by the University for its students;

[6][(*hh*) "non-teaching staff" means the employees of the University other than the teachers;]

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

[7]* * * * *

(*k*) "Teachers" means Professors, Readers, Lectures and such other persons as may be appointed for imparting instruction in the University or a hall and are designated as Teachers by the Ordinances;

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1. The words "establish and" omitted by Act 62 of 1981, s. 2 (w.e.f. 10-2-1982).
2. This Act was brought into force on the 1st December, 1920, *vide* Notification No. 1458, dated 1-12-1920, *see* Gazette of India, 1920., Pt. I, p. 2213. (For Notification, *see* G.S.R.O. Volume VIII, p. 192).
3. Subs. by the A.O. 1937, for "G.G. in C."
4. Subs., *ibid*., for "Gazette of India".
5. Subs. by Act 34 of 1972, s. 2, for section 2 (w.e.f, 17-6-1972).
6. Ins. by Act 62 of 1981, s. 3 (w.e.f. 10-2-1982).
7. Clause (*j*) omitted by s. 3, *ibid.* (w.e.f. 10-2-1982).

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

THE UNIVERSITY

[2][**3. Incorporation.—** The Chancellor, the Pro-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 Aligarh Muslim University and shall have perpetual succession and a common seal and shall sue and be sued by that name.]

4. Dissolution of the Muhammadan Anglo-Oriental College, Aligarh, and the Muslim University Association, and transfer of all property to the University.—From the commencement of this Act—

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

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

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

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

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

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

5. Powers of the University.— 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;

(*2*) [3][(*a*)] to promote Oriental and Islamic studies and give instruction in Muslim theology and religion and to impart moral and physical training;

[4][(*b*) to promote the study of the religions, civilisation and culture of India;]

[5][(*c*) to promote especially the educational and cultural advancement of the Muslims Muslims of India;]

1. Subs. by Act 62 of 1981, s. 3, for clause (*l*) (w.e.f. 10-2-1982).
2. Subs. by Act 34 of 1972, s. 3, for section 3 (w.e.f. 17-6-1972).
3. Clause (*2*) relettered as sub-clause (*a*) thereof by Act 34 of 1972. s. 4 (w.e.f. 17-6-1972).
4. Ins. by s. 4, *ibid.* (w.e.f. 17-6-1972).
5. Ins. by Act 62 of 1981, s. 4 (w.e.f. 10-2-1982).

[1][(*3*) to hold examinations and to grant diplomas or certificates to, and confer degrees and other academic distinctions on, persons subject to such conditions as the University may determine and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;]

(*4*) to confer honorary degrees or other distinctions [2]*** in the manner laid down inthe Statutes;

[3][(*5*) to provide instruction for such persons who are not members of the University, as the University may determine;]

(*6*) to co-operate [4][or collaborate] with other Universities and authorities in such manner and for such purposes as the University may determine;

(*7*) to institute professorships, readerships, lectureships and [5]*** other [6][teaching or academic posts] required by the University, and to appoint persons to such professorships, readerships, lectureships [7][and other posts] [8][and determine their conditions of service in accordance with the Statutes];

[4][(*7A*) to appoint persons working in any other University, institution or organisation as teachers of the University for a specified period;]

(*8*) to institute and award fellowships (including travelling fellowships), scholarships, [9][studentships], exhibitions and prizes in accordance with the statutes and the Ordinances;

[10][(*9*) to institute and maintain Halls for the students of the University;]

[4][(*9A*) to establish within a radius of twenty-five kilometres of the University Mosque such Special Centres, Specialised Laboratories or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;]

(*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 [9][to regulate the] discipline of studentsof the University, and to make arrangements for promoting their health; [11]***

[9][(*11A*) to make special arrangements in respect of the residence, discipline and teaching of women students;

(*11B*) to create administrative, ministerial and other [12]*** posts and to make appointments thereto [8][and determine their conditions of service in accordance with the Statutes;]

[4][(*11C*) to regulate and enforce discipline among the employees of the University and to take such disciplinary measures as may be deemed necessary;

(*11D*) to acquire, hold, manage and dispose of property, movable or immovable, including trust or endowed property for the purposes of the University;

(*11E*) to borrow, with the approval of the Central Government, on the security of the property of the University, money for the purposes of the University;

(*11F*) to declare a Department of Studies to be an autonomous Department; and]

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1. Subs. by Act 34 of 1972, s. 4, for clause (*3*) (w.e.f. 17-6-1972).
2. The words "on approved persons" omitted by Act 62 of 1951, s. 3.
3. Subs. by Act 34 of 1972. s. 4, for clause (*5*) (w.e.f. 17-6-1972).
4. Ins. by s. 4, *ibid.* (w.e.f. 17-6-1972).
5. The word "any" omitted by Act 62 of 1951, s. 3.
6. Subs. by Act 34 of 1972, s. 4, for "teaching posts" (w.e.f. 17-6-1972).
7. Subs. by Act 62 of 1951, s. 3, for "and posts".
8. Added by Act 62 of 1981, s. 4 (w.e.f. 10-02-1982).
9. Ins. by Act 62 of 1951, s. 3.
10. Subs. by Act 62 of 1981, s. 4, for clause (*9*) (w.e.f. 10-02-1982).
11. The word "and" omitted by Act 62 of 1951, s. 3.
12. The word "necessary" omitted by Act 34 of 1972, s. 4 (w.e.f. 17-6-1972).

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(*12*) to do all such other acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University [1]***

6. Recognition of degrees.— The degrees, diplomas and other academic distinctions granted or conferred to or on persons by the University shall be recognised by [2][the Central and [3][State] Governments] as are the corresponding degrees, diplomas and other academic distinctions granted by any other University incorporated under any enactment.

7. Reserve fund.— The University shall invest and keep invested in securities in which trust funds may be invested in accordance with the law for the time being in force relating to trusts in [4][India] a sum of thirty lakhs of rupees as a permanent endowment to meet the recurring charges of the University other than charges in respect of fellowships, scholarships, prizes and rewards:

Provided that—

(*1*) any Government securities as defined in the Indian Securities Act, 1920 (10 of 1920), which may be held by the University shall, for the purposes of this section, be reckoned at their face value; and

(*2*) the aforesaid sum of thirty lakhs shall be reduced by such sums as, at the commencement of this Act, the [5][Central Government] shall, by order in writing, declareto be the total capitalised value, for the purpose of this section —

(*a*) of all permanent recurring grants of money which have been made either to the Muhammadan Anglo-Oriental College, Aligarh, the Muslim University Association or the Muslim University Foundation Committee, by any Ruler of a State in India; and

(*b*) of the total income accruing from immovable property (not being land or buildings, in the occupation and use of the said college) which by the operation of this Act has been transferred to the University.

[6]**[8. University open to all persons.—**The University shall be open to all persons (including the teachers and taught) of either sex and of whatever race, religion, creed, caste or class:

Provided that nothing in this section shall be deemed to prevent religious instruction being given in the manner prescribed by the Ordinances to those who have consented to receive it.]

9. [*Religious instruction.***]** *Rep. by the Aligarh Muslim University (Amendment) Act*, 1951 (62 *of* 1951), *s.* 6.

10. Residence of students.— Every student of the University shall reside either in a Hall [7][or a hostel] or under such conditions as may be prescribed by the Ordinances.

[8][**11. Teaching in the University.—** All recognised teaching for the purpose of University degrees, diplomas and certificates shall be conducted [9][under the supervision of the Academic Council and in accordance with the Statutes and Ordinances].]

1. The words the University omitted by Act 62 of 1951, s. 3 (w.e.f. 3-11-1951)
2. Subs. by the A.O. 1948, for "any Government in British India".
3. Subs. by the A.O. 1950, for "Provincial".
4. Subs. by Act 62 of 1951, s. 4, for "Part A States and Part C States".
5. Subs. by the A.O. 1937, for "G.G. in C.".
6. Subs. by Act 62 of 1981, s. 5, for section 8 (w.e.f. 10-2-1982).
7. Ins. by Act 34 of 1972, s. 6 (w.e.f. 17-6-1972).
8. Subs. by Act 62 of 1951, s. 7, for section 11.
9. Subs. by Act 34 of 1972, s. 7, for certain words (w.e.f. 17-6-1972).

[1][**12. Power to establish and maintain High Schools and other institutions.**—(*1*) The University shall, subject to the Statutes, have power to establish and maintain High Schools within a radius of fifteen miles from the University Mosque.

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

12A. [*Power to recognise colleges and institutions*.] *Rep. by the Aligarh Muslim University (Amendment) Act*, 1972 (34 *of* 1972), *s.* 9 (*w.e.f.* 17-6-1972).

THE [3][VISITOR]

13. The Visitor.—(*1*) The [4][President] shall be the [1][Visitor] of the University.

(*2*) The [1][Visitor] shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, and equipment, and of any institution maintained by the University, and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with [5][the administration or finances of] the University [6]***.

[7][(*2A*) The Visitor shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made and on receipt of such notice, the University shall have the right to make such representation to the Visitor as it may consider necessary.

(*2B*) After considering the representation, 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*).

(*2C*) Where any inspection or inquiry has been caused to be made by the Visitor, the University shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.]

(*3*) The [1][Visitor] may address the Vice-Chancellor with reference to the result of such inspection and inquiry, and the Vice-Chancellor shall communicate to the [8][Executive Council] the views of the [1][Visitor] with such advice as the [1][Visitor] may be pleased to offer upon the action to be taken thereon.

(*4*) The [6][Executive Council] shall communicate through the Vice-Chancellor to the [1][Visitor] such action, if any, as it is proposed to take or has been taken upon the result of such inspection or inquiry.

(*5*) Where the [6][Executive Council] does not, within reasonable time, take action to the satisfaction of the [1][Visitor] may, after considering any explanation furnished or representation made by the [6][Executive Council], issue such directions as he may think fit, and the [6][Executive Council] shall comply with such directions.

[9][(*6*) 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. Subs. by Act 62 of 1951, s. 8, for section 12.
2. Subs. by Act 34 to 1972, s. 8, for certain words (w.e.f. 17-6-1972).
3. Subs. by Act 62 of 1951, s. 10, for "Lord Rector".
4. Subs. by the A.O. 1950, for "Governor General".
5. Ins. by Act 34 of 1972, s. 10 (w.e.f. 17-6.1972).
6. The words "with the university" omitted by Act 62 of 1951, s. 10
7. Subs. by Act 34 of 1972, s. 10, for sub-section *(2A)* (w.e.f. 17-6-1972).
8. Subs. by s. 10, *ibid*., for "Court" (w.e.f. 17-6-1976).
9. Ins. by Act 62 of 1951, s. 10. The former sub-section (*6*) inserted by the A.O. 1937, was rep. by the A.O. 1948.

[1][(*7*) The Visitor shall have such other powers as may be prescribed by the Statutes.]

THE VISITNG BOARD

14. [*The Visiting Board*.] *Omitted by the Aligarh Muslim University* (*Amendment*) *Act*, 1951 (62 *of* 1951), *s*. 11.

[2][CHIEF RECTOR

15. Chief Rector.— The Governor of the State of Uttar Pradesh shall be Chief Rector of the University.]

OFFICERS OF THE UNIVERSITY

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

(*1*) The Chancellor,

(*2*) The Pro-Chancellor,

(*3*) The Vice-Chancellor, [3]***

[4]* * * * *

[5][(*3A*) The Pro-Vice-Chancellor, if any;

[6][[7][(*3B*) The Honorary Treasurer;]

[8][(*3C*)] The Registrar;

[8][(*3D*)] The Finance Officer;]

[8][(*3E*)] The Deans of the Faculties; and]

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

[10][**17. The Chancellor.—**[11][(*1*) The Chancellor of the University shall be elected by the Court in such manner and for such term as may be prescribed by the Statutes.]

(*2*) The Chancellor shall, by virtue of his office, be the Head of the University.

(*3*) The Chancellor shall, if present, preside at the convocations of the University held for conferring degrees.]

[12][**18. The Pro-Chancellor. —**[13][(*1*) The Pro-Chancellor shall be elected by the Court in such manner and for such term as may be prescribed by the Statutes.]

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

[14][**19. The Vice-Chancellor.—**(*1*) The Vice-Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

1. Ins. by Act 34 of 1972, s. 10 (w.e.f. 17-6-1972).
2. Subs. by s. 11, *ibid.*, for the former heading and section 15 (w.e.f. 17-06-1972).
3. The word "and" ins. by Act 11 of 1945, s. 2, omitted by Act 62 of 1951, section 13.
4. Clause (*4*) which read "The Pro-Vice-Chancellor, and" omitted by Act 11 of 1945, section 2.
5. Ins. by Act 62 of 1951, s. 13 (w.e.f. 3-11-1951).
6. Subs. by Act 34 of 1972, s. 12, for clauses (*B*) and (*C*) (w.e.f. 17-6-1972).
7. Ins. by Act 62 of 1981, s. 6 (w.e.f. 10-2-1982).
8. Clauses (*3B*), (*3C*) and (*3D*) renumbered as clauses (*3C*), (*3D*) and (*3E*) thereof by Act 62 of 1981, s. 6 (w.e.f. 10-2-1982).
9. Clause (*5*) renumbered as clause (*4*) by Act 11 of 1945, s. 2.
10. Subs. by Act 34 of 1972, s. 13, for section 17 (w.e.f. 17-6-1972).
11. Subs. by Act 62 of 1981, s. 7, for sub-section (*1*) (w.e.f. 10-2-1982).
12. Subs. by Act 34 of 1972, s. 14, for section 18 (w.e.f. 17-6-1972).
13. Subs by Act 62 of 1981, s. 8, for sub-section (*1*) (w.e.f. 10-2-1982).
14. Subs. by Act 34 of 1972, s. 15, for section 19 (w.e.f. 17-6-1972).

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

(*3*) The Vice-Chancellor may, if he is of opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matter:

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

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

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

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

[2][**20A. The Honorary Treasurer.—**(*1*) The Honorary Treasurer shall be elected by the Court in. such manner and for such term as may be prescribed by the Statutes.

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

[3]**[20B.] The Registrar.**—(*1*) The Registrar shall be appointed in such manner as may be prescribed by the Statutes.

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

[4][20C.] The Finance Officer.—The Finance Officer shall be appointed in such manner and. shall exercise such powers and perform such duties as may be prescribed by the Statutes.]

[5][21. Powers of other officers.—The powers of officers other than the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor, [6][the Honorary Treasurer,] the Registrar and the Finance Officer shall be prescribed by the Statutes.]

AUTHORITIES OF THE UNIVERSITY

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

(*1*) The Court,

(*2*) The Executive Council,

(*3*) The Academic Council, [7]***

[8][[9][(*3A*) The Finance Committee,]

1. Ins. by Act 34 of 1972, s. 16, (w.e.f. 17-6-1972). Earlier section 20 was rep. by Act 11 of 1945, s. 3 (w.e.f. 4-9-1945).
2. Ins. by Act 62 of 1981, s. 9 (w.e.f. 10-2-1982).
3. Sections 20A and 20B renumbered as sections 20B and 20C by Act 62 of 1981, s. 9 (w.e.f. 10-2-1982).
4. Section 20B renumbered as section 20C thereof by s. 9 *ibid.* (w.e.f. 10-2-1982).
5. Subs. by Act 34 of 1972, s. 17, for section 21 (w.e.f. 17-6-1972).
6. Ins. by Act 62 of 1981, s. 10 (w.e.f. 10-2-1982).
7. The word "and" omitted by Act 62 of 1951, s. 16 (w.e.f. 3-11-1951).
8. Ins. by s. 16, *ibid*. (w.e.f. 3-11-1951).
9. Ins. by Act 62 of 1981, s. 11 (w.e.f. 10-2-1982).

(*3B*) The Faculties, [1][and]]

[2]* * * * *

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

[3][**23. The Court.—**(*1*) The Court shall consist of the Chancellor, the Pro-Chancellor, the Vice-Chancellor and the Pro-Vice-Chancellor (if any), for the, time being, and such other persons as may be specified in the Statutes.

(*2*) The Court shall be the supreme governing body of the University and shall exercise all the powers of the University, not otherwise provided for by this Act, the Statutes, the Ordinances and the Regulations and it shall have power to review the acts of the Executive and the Academic Councils (save where such Councils have acted in accordance with powers conferred on them under this Act, the Statutes or the Ordinances).

(*3*) Subject to the provisions of this Act, the Court shall exercise the following powers and perform the following duties, namely:—

(*a*) to make Statutes and to amend or repeal the same;

(*b*) to consider Ordinances;

(*c*) to consider and pass resolutions on the annual report, the annual accounts and the financial estimates;

(*d*) to elect such persons to serve on the authorities of the University and to appoint such officers as may be prescribed by this Act or the Statutes; and

(*e*) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes.]

24. The Executive Council.—The Executive Council shall be [4][the principal executive body] of the University. Its constitution and the term of office of its members and its powers and duties shall be prescribed by the Statutes.

25. The Academic Council.—(*1*) The Academic Council shall be [5][the principal academic body] of the University and shall, subject to the provisions of this Act, the Statutes and the Ordinances, [6][co-ordinate and exercise general supervision over the academic policies of the University].

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

26. Other authorities of the University.—The constitution, powers [7][and functions of the Finance Committee and of the Faculties] and of such other authorities as may be declared by the Statutes to be authorities of the University, shall be prescribed by the Statutes.

[8][**26A. Disqualifications for membership.—**A person shall be disqualified for being chosen as, and and for being, a member of any of the authorities of the University if he is not a citizen of India.]

STATUTES, ORDINANCES AND REGULATIONS

[9][**27. Power to make Statutes.—**Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

1. Ins. by Act 62 of 1981, s. 11 (w.e.f. 10-2-1982).
2. Clause (*3C*) *omitted* by s. 11, *ibid.* (w.e.f. 10-2-1982).
3. Subs. by s. 12, *ibid.*, for s. 23 (w.e.f. 10-2-1982).
4. Subs. by Act 34 of 1972, s. 20, for "the executive body" (w.e.f. 17-6-1972).
5. Subs. by s. 21, *ibid.*, for "the academic body" (w.e.f. 17-6-1972).
6. Subs. by s. 21, *ibid.*, for certain words (w.e.f. 17-6-1972).
7. Subs. by Act 62 of 1981, s. 13, for certain words (w.e.f, 10-2-1982).
8. Ins. by s. 14, *ibid.* (w.e.f. 10-2-1982).
9. Subs. by Act 34 of 1972, s. 23, for section 27 (w.e.f. 17-6-1972).

(*a*) the constitution, powers and functions of the authorities of the University, [1]*** and such other other authorities as may be constituted from time to time;

(*b*) the election and continuance in office of the members of the said authorities, the filling of vacancies of members, and all other matters relative to those authorities for which it may be necessary or desirable to provide;

[2][(*c*) the manner of election of appointment, as the case may be, of the Chancellor, the Pro-Chancellor, the Vice-Chancellor and other officers of the University;]

(*d*) the manner of appointment of teachers and other academic staff and their emoluments;

(*e*) the manner of appointment of employees other than teachers and other academic staff of the University and their emoluments;

(*f*) the manner of appointment of teachers and other academic staff working in any other University or institution for a specified period for undertaking a joint project;

(*g*) the conditions of service of employees including the provision for pension, insurance and provident fund, the manner of termination of service and disciplinary action;

(*h*) the principles governing seniority of service of employees;

(*i*) the procedure for arbitration in cases of dispute between employees or students and the University;

(*j*) the procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of the University;

(*k*) the establishment and recognition of Students Union or associations of teachers, academic staff or other employees of the University;

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

[3][**28. Statutes.**—(*1*) On the commencement of the Aligarh Muslim University (Amendment) Act, 1981 (62 of 1981), the Statutes in force immediately before such commencement, as amended by that Act, shall be the Statutes of the University.

(*2*) After the commencement of the Aligarh Muslim University (Amendment) Act, 1981 (62 of 1981), the Court may, notwithstanding anything contained in sub-section (1), make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1) in the manner hereinafter provided in this section.

(*3*) The Executive Council may propose to the Court the draft of any Statute for its consideration and such draft shall be considered by the Court at its next meeting:

Provided that the Executive Council shall not propose the draft of any Statute or of any amendment of a Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing upon the proposal and any opinion so expressed shall be considered by the Court.

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

(*5*) Any member of the Court may propose to the Court, the draft of any Statute and the Court may reject the proposal or refer such draft for consideration to the Executive Council, which may either reject the proposal or submit the draft to the Court in such form as the Executive Council may approve and the provisions of this section shall apply in the case of any draft so submitted as they apply in the case of a draft proposed by the Executive Council.

1. The words "the Finance Committee" omitted by Act 62 of 1981, s. 15 (w.e.f. 10-2-1982).
2. Subs. by s. 15, *ibid.*, for clause (*c*) (w.e.f. 10-2-1982).
3. Subs. by Act 62 of 1981, s. 16, for section 28 (w.e.f. 10-2-1982).

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

[1][**29. Power to make 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;

(*c*) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;

(*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;

[2][(*g*) the remuneration to be paid to the examiner, moderator, invigilator and tabulator;]

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

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

(*j*) the giving of religious instruction;

(*k*) the emoluments and the terms and conditions of service of [3][the academic and other staff of the University];

(*l*) the maintenance of high schools and other institutions in accordance with the provisions of section 12;

[4][(*m*) the establishment of Centres of Study, Boards of Study, Inter-Disciplinary Committees, Special Centres, Specialised Laboratories, Committees on Advanced Study and Research, Committees of Department and Centres, Admission Committees, Examination Committee, Boards of Residence and Halls, Discipline Committee, Cultural Committee, Social Service Committee, Games Committee and Student's Advisory Committees;

(*n*) the manner of co-operation and collaboration with other Universities and authorities including learned bodies or associations;

(*o*) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;

(*p*) such other terms and conditions of teachers as are not prescribed by the Statutes; and

(*q*) all other matters which by this Act or the Statutes may be provided for by the Ordinances.]

[5][(*2*) The Ordinances in force immediately before the commencement of the Aligarh Muslim University (Amendment) Act, 1972 (34 of 1972), may be amended, repealed or added to at any time by the Executive Council, provided that—

(*i*) in making the Ordinances in respect of the matters enumerated in sub-section (*1*) other than those enumerated in clauses (*k*) and (*p*), the Executive Council shall act on the recommendation of the Academic Council.

[6]* * * * *]

1. Subs. by Act 62 of 1951, s. 21, for sections 29 and 30.
2. Subs. by Act 34 of 1972, s. 25, for clause (*g*) (w.e.f. 17-6-1972).
3. Subs. by s. 25, *ibid*., for "teachers of the University" (w.e.f. 17-6-1972).
4. Subs. by s. 25, *ibid*., for clauses (*m*) and (*n*) (w.e.f. 17-6-1972).
5. Subs. by s. 25, *ibid*., for sub-section (*2*) (w.e.f. 17-6-1972).
6. Clause (*ii*) omitted by Act 62 of 1981, s. 17 (w.e.f. 10-2-1982).

(*3*) The Executive Council shall not have power to amend any draft proposed by the Academic Council under the provisions of sub-section (*2*) 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.

[1][[2][(*4*) Where the Executive Council has rejected or returned the draft of an Ordinance proposed by the Academic Council, the Academic Council may consider the question afresh and in case the original draft is re-affirmed by a majority of not less than. two-thirds of the members present and voting and more than half the total number of members of the Academic Council, the draft may be sent back to the Executive Council which shall either adopt it or refer it to the Visitor whose decision shall be final.

(*5*) Every Ordinance made by the Executive Council shall come into effect immediately.

(*6*) Every Ordinance made by the Executive Council shall be submitted to the Visitor within two weeks. The Visitor shall have the power to direct the University within four weeks of the receipt of the Ordinance to suspend the operation of any such Ordinance and he shall, as soon as possible inform the Executive Council about his objection to the proposed Ordinance. The Visitor may, after receiving the comments of the University, either withdraw the order suspending the Ordinance or disallow the Ordinance, and his decision shall be final.]]]

31. 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 other matters solely concerning such authorities or committees appointed by them not provided for by this Act, the Statutes and the Ordinances.

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

[3][(*3*) The Executive Council may direct the amendment, in such manner as it may specify, of any Regulation made under this section other 4[than any Regulation made by the Court] or the annulment of any such Regulation:

[5][(*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 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 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 the Statute, Ordinance or Regulation.]

[6]* * * * *

1. Subs. by Act 19 of 1965, s. 4**,** for sub-sections (*4*), (*5*), (*6*) and (*7*).
2. Subs. by Act 34 of 1972, s. 25, for sub-sections (*4*), (*5*) and (*6*) (w.e.f. 17-6-1972).
3. Ins. by Act 62 of 1951, s. 22.
4. Ins. by Act 62 of 1981, s. 18 (w.e.f, 10-2-1982).
5. Ins. by Act 4 of 2005, s. 2 and the Schedule.
6. Proviso omitted by Act 19 of 1965, s. 5.

ADMISSION AND EXAMINATIONS

32. [*Admission to the University.*] *Rep. by the Aligarh Muslim University (Amendment) Act,* 1951 (62 *of* 1951), *s.* 23.

33. Examinations.—(*1*) All arrangements for the conduct of examinations shall be made, and all examiners shall be appointed by [1][the Executive Council on the recommendation of the Academic Council].

[2]* * * * *

(*3*) The Academic Council shall appoint examination committees, consisting of members of its own body or of other persons or of both, as it thinks fit, to moderate examination question, [3][and to prepare and publish] the results of the examinations [4]***

ANNUAL REPORT AND ACCOUNTS

[5][**34. 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 after such date as may be prescribed by the Statutes and the Court shall consider the Report in its annual meeting.

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

[6][(*3*) A copy of the Annual Report as submitted to the Visitor shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.]

[7][**35. Annual accounts.—**(*1*) The annual accounts and balance sheet of the University shall be prepared under the direction of the Executive Council and shall, once at least every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India or by such person or persons as he may authorise in this behalf.

(*2*) A copy of the annual accounts, together with the audit report thereon, shall be submitted to the Court and the Visitor along with the observations of the Executive Council.

(*3*) Any observations made by the Visitor on the annual accounts shall be brought to the notice of the Court and the observations of the Court, if any, shall, after being considered by the Executive Council, be submitted to the Visitor.

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

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

SUPPLEMENTARY PROVISIONS

36. Conditions of service of employees.—(*1*) Every [8][employee] of the University shall be appointed on a written contract, which shall be lodged with the University and a copy of which shall be furnished to the [9][employee] concerned.

1. Subs. by Act 62 of 1951, s. 24, for "the Academic Council in such manner as may he prescribed by the Ordinances".
2. Sub-section (*2*) omitted by s. 24, *ibid.*
3. Subs. by Act 62 of 1951, s. 24, for "to prepare".
4. The words "and to report such results to the Executive Council for publication" omitted by s. 24, *ibid.*
5. Subs. by Act 34 of 1972. s. 26, for s. 34 (w.e.f. 17-6-1972).
6. Ins. by Act 62 of 1981, s. 19 (w.e.f. (10-2-1982).
7. Subs. by s. 20, *ibid.* (w.e.f. 10-2-1982).
8. Subs. by Act 34 of 1972. s. 28, for "salaried officer and teacher" (w.e.f. 17-6-1972).
9. Subs. by s. 28, *ibid.* for "officer or teacher" (w.e.f. 17-6-1972).

(*2*) Any dispute arising out of a contract between the University and any of its [1][employees] shall, at the request of the [1][employee] concerned be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the [1][employee] concerned and an umpire appointed by the [2][Visitor]. The decision of the Tribunal shall be final, and no suit shall lie in any Civil Court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Indian Arbitration Act, 1899[3] (9 of 1899) , and all the provisions of that Act, with the exception of section 2 thereof shall apply accordingly.

[4][**36A. Procedure of appeal and arbitration in disciplinary cases against students.**—(1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examinations of the University for more than a year, may, within ten days of the date of receipt of such order or copy of such resolution by him, appeal to the Executive Council and the Executive Council may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the ease may be.

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

36B. Right to appeal.—Every employee or student of the University shall, notwithstanding anything contained in this Act, have a right to appeal, within such time as may be prescribed by the Statutes, to the Executive Council against the decision of any officer or authority of the University and thereupon the Executive Council may confirm, modify or reverse the decision appealed against.]

37. Provident and pension funds.—(*1*) The University shall constitute for the benefit of its officers, teachers and servants such [5][pension or provident funds or provide such insurance schemes] as it 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 [6][Central Government] may declare [7]that the provisions of the Provident Funds Act, [8][1925] (19 of 1925), shall apply to such fund, as as if it were a Government provident fund.

38. Filling of casual vacancies. —[9]* * * *

(2) [10]*** [11]*** casual vacancies in [12][any office or in any authority] shall be filled up by the authority which has power to appoint to the office or authority [13]***.

39. Proceedings of University authorities not invalidated by vacancies.—No act or proceeding of any authority of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

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1. Subs. by Act 34 of 1972, s. 28, for "officers or teachers" (w.e.f. 17-6-1972)
2. Subs. by Act 62 of 1951, s. 26, for "Visiting Board".
3. *See now* the Arbitration Act, 1940 (10 of 1940).
4. Ins. by Act 34 of 1972, s. 29 (w.e.f. 17-6-1972).
5. Subs. by Act 62 of 1951, s. 27, for "provident and pension funds".
6. Subs. by the A.O. 1937, for "G.G. in C.".
7. For such declaration *see* Notification No. 151 (5, dated the 14th July, 1927, Gazette of India, 1927, Pt. I, I. 764 (G.S.R.O. Volume VIII, p. 192).
8. Subs. by Act 62 of 1951, s. 27, for "1897".
9. Sub-section (*1*) omitted by s. 28, *ibid.*
10. The words, brackets and figures "Subject to the provisions of sub-section (*3*) of section 18," omitted by Act 34 of 1972, s. 30 (w.e.f. 17-6-1972).
11. The word "other" omitted by Act 62 of 1951, s. 28.
12. Subs. by s. 28, *ibid.*, for "any office of any authority".
13. Certain words omitted by Act 19 of 1965, s. 8. 12.

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

41. Mode of proof of University record.—A copy of any receipt, application, notice, order, proceeding, resolution of any authority or Committee of the University or other documents in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding or resolution, document or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence, notwithstanding anything contained in the Indian Evidence Act, 1872 (1 of 1872), or in any other law for the time being in force.]

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

Verified RealEstate

9. Ins. by Act 34 of 1972, s. 31 (w.e.f. 17-6-1972).