

# The Delhi Technological University Act, 2009

DELHI

India

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### Act 6 of 2009

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The Delhi Technological University Act, 2009 Delhi Act 6 of 2009 [Dated 8th July, 2009] (As passed by the Legislative Assembly of the National Capital Territory of Delhi on the 1st July, 2009) Notification No. F. 14 (12)/LA-2009/LI/09/LCLAW/173-182. - The following Act of Legislative Assembly of the National Capital Territory of Delhi received the assent of the Lt. Governor on the 8th July, 2009 and is hereby published for general information :- An Act to provide for the reconstitution of the Delhi College of Engineering as a Delhi Technological University and to incorporate it as a non-affiliating, teaching and research University at Delhi to facilitate and promote studies, research, technology incubation, product innovation and extension work in Science, Technology and Management Education, and also to achieve excellence in higher technical education and other matters connected therewith or incidental thereto. Whereas, the Delhi College of Engineering is an institution of the Government of National Capital Territory of Delhi affiliated to the University of Delhi; And whereas, it is expedient to confer on the said institution the status of a University to enable it to function more efficiently, as a teaching and research center in various branches of learning and courses of study promoting advancement and dissemination of knowledge and learning, and to meet the requirement of higher education and research in the field of engineering and technology, applied sciences and management, sciences, foster industry relevant research and innovation and to avail better scopes and opportunities to serve the society and the nation. Be it enacted by the Legislative Assembly of the National Capital Territory of Delhi in the Sixtieth Year of the Republic of India as follows :-

### 1. Short title, extent and commencement.

(1) This Act shall be called the Delhi Technological University Act, 2009. (2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

## 2. Definitions.

- In this Act, unless the context otherwise requires, -(a)"Academic Council" means the Academic Council of the University;(b)"Academic Staff" means such categories of staff as are designated by the Statutes to be the academic staff of the University;(c)"Board of Management" means the Board of Management of the University;(d)"Campus" means the unit established or constituted by the University, for making arrangements for instruction, or research, or both;(e)"Chancellor", "Vice-Chancellor" and "Pro Vice-Chancellor" mean, respectively, the Chancellor, the Vice-Chancellor and the Pro Vice-Chancellor of the University;(f)"College" means the institution established or maintained by the University.(g)"Court" means the Court of the University;(h)"Delhi" means the National Capital Territory of Delhi;(i)"Department" means a department of studies of the University;(j)"Employee" means any person appointed by the University;(k)"Finance Committee" means the Finance Committee of the University;(l)"Government" means Lieutenant Governor of the National Capital Territory of Delhi appointed by the President under Article 239 and designated as such under Article 239AA of the Constitution;(m)"Half" means a unit of residence or of corporate life for the students of the University;(n)"Misconduct" means a misconduct prescribed by the Statutes;(o)"Notification" means a notification published in the official Gazette;(p)"Planning Board" means the Planning Board of the University;(q)"Prescribed" means prescribed by the Statutes or Ordinances or Regulations made under this Act;(r)"Registrar" means the Registrar of the University;(s)"School" means a school of studies of the University;(t)"Statutes", "Ordinances" and "Regulations", mean respectively, the Statutes, Ordinances and Regulations of the University for the time being in force;(u)"University" means the Delhi Technological University as incorporated under this Act; and(v)"University teachers" means Professors, Associate Professors, Assistant Professors and such other persons as may be appointed for imparting instruction or conducting research in the University, or in any college or institution maintained by the University and are designated as teachers by the Statutes.

## 3. Incorporation of the University.

(1)With effect from such date as the Government may, by notification in the Official Gazette, appoint, there shall be established a University by the name of "Delhi Technological University", comprising the Chancellor, the Vice-Chancellor, the first members of the Court, the Board of Management, the Academic Council and Finance Committee of the University and all such persons as may hereafter be appointed to such office or as members so long as they continue to hold such office or membership.(2)The University shall be a body corporate with the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and may by the said name sue or be sued.(3)The University shall be engaged in teaching and research in emerging areas of higher education with focus on applied sciences, engineering, technology and management and shall promote inter-disciplinary education and research to achieve excellence in these and connected fields.

#### **4. Effect of incorporation of University.**

- On and from the commencement of this Act, - (a) any reference to the Delhi College of Engineering in any law (other than this Act) or in any contract or other instrument shall be deemed as a reference to the University; (b) all property, movable and immovable, of or belonging to the Delhi College of Engineering shall vest in the University; (c) all the rights and liabilities of the Delhi College of Engineering shall be transferred to, and be the rights and liabilities of the University; and (d) every person employed by the Delhi College of Engineering immediately before such commencement shall hold his office or service in the University by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund, and other matters as he would have held the same if this Act had not been passed, and shall continue to do so unless and until his employment is terminated or he has opted for the University's terms and conditions of employment; (e) notwithstanding anything contained in this Act, existing students of the Delhi College of Engineering who joined classes before the establishment of the University under Section 3 of this Act, shall continue to pursue their academic courses and programmes of study under the enrolment and affiliation of the University of Delhi, which shall conduct examinations to them and award degrees to them upon successful completion of the courses and programmes of study they are pursuing thereat presently.

#### **5. Jurisdiction.**

- Save as otherwise provided by or under this Act, the limits of the area within which the University shall exercise its powers, shall be those of the National Capital Territory of Delhi.

#### **6. Objects of the University.**

- The objects of the University shall be, - (a) to evolve and impart comprehensive higher education with focus on applied science, engineering, technology, management and allied areas; (b) to facilitate and promote studies leading to award of degrees, diplomas and certificates; (c) to organize advanced studies and promote research, with a focus on basic and applied sciences, engineering, technology and management; (d) to achieve excellence in science, engineering, technology, management and allied areas and matters connected therewith or incidental thereto; (e) to be a change agent that shall contribute to enable Science and Technology and related areas of industry to develop state of the art products and services; (f) to be industry relevant and to create an impact on the academic community in India and abroad; (g) to be an open institution to attract the best minds of the world end, to be completely globally integrated; (h) to set up innovation foundations, science and technology parks, knowledge parks and technology incubators to foster techno-entrepreneurship, innovation and new product development; (i) to disseminate knowledge and processes and their role in national development by organizing lectures, seminars, symposia, workshops and conferences; (j) to promote and foster cultural and ethical values with a view to promote and foster professional morality, research integrity, globally acceptable business ethics and morals for professionals; (k) to liaise with institutions of higher learning and research in India and abroad; (l) to publish periodicals, treatises, studies, books, reports, journals and other literatures on subjects relating to science, engineering, technology and management; (m) to hold examinations and confer degrees and other academic

distinctions;(n)to undertake, study and training projects relating to science, engineering, technology and management;(o)to do all such things as are incidental, necessary or conducive to the attainment of all or any of the objectives of the University.

## **7. 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, from time to time, determine and to make provisions for research and for the advancement and dissemination of knowledge and skills;(2)to grant, subject to such conditions as the University may determine, diplomas and certificates to, and confer degrees and other academic distinctions on the basis of examinations, evaluation or any other method of testing, on persons;(3)to confer honorary degrees or other distinctions;(4)to organize and to undertake extra-mural studies and extension services;(5)to create and institute professorships, associate professorships, assistant professorships and other teaching and academic positions required by the University and to appoint persons to such and other academic and research positions;(6)to recognize persons as professors, associate professors or assistant professors and others as teachers of the University;(7)to provide for the terms and conditions of service of teachers and other members of the academic or administrative staff appointed by the University;(8)to appoint persons working in any other university or organization as teachers of the University for a specified period;(9)to create administrative, ministerial and other posts in the University and to make appointments thereto;(10)to co-operate or collaborate or associate with any other University, authority or institution of higher learning in such manner and for such purpose as the University may determine and with the prior approval of the Government in case of a Foreign University;(11)to enable the co-operation, collaboration or association of persons working in any other institution, with persons working in the University, for imparting instruction or supervising research, or both;(12)to build up a body of academia to perform academic functions, and to pay them remuneration in the manner prescribed;(13)to establish, maintain colleges, campuses and such other centers of education, research, training and extension as deemed appropriate by the University;(14)to set up central facilities like computer centre, instrumentation centre, central workshop, central library, auditorium, etc.:(15)to set up curriculum development cells for different subjects;(16)to make provision for research and advisory services and, for that purpose, to enter into such arrangements with other institutions or bodies as the University may deem necessary;(17)to determine standards for admission to the University which may include examination, evaluation or any other method of selection;(18)to institute and award fellowships, scholarships, studentships, medals and prizes;(19)to prescribe, demand and receive payment of fees and other charges;(20)to supervise the residence of the students of the University and to make arrangements for promoting their health and general welfare;(21)to make such special arrangements in respect of women students as the University may consider desirable;(22)to regulate the conduct of the students of the University;(23)to regulate the work and conduct of the employees of the University;(24)to regulate and enforce discipline among the employees and the students of the University and take such disciplinary measures in this regard as may be deemed necessary;(25)to make arrangements for promoting the health and general welfare of the employees of the University;(26)to receive benefactions, donations and gifts from persons and to name after them such chairs, institutions, buildings and the like as the University may determine, whose gift or donation to the University is

worth such amount as the University may decide;(27)to create a corpus fund for the University and transfer, in full or part, donations received from alumni, industries and other national and international foundations, organizations as may be approved by the Board of Management of the University and to decide the modalities for the utilization of such a corpus fund;(28)to acquire, hold, manage and dispose of any property, movable or immovable, including trust and endowment properties for the purposes of the University except for the land acquired or building constructed with the assistance of the Government, in which case prior approval of the Government shall be required;(29)to borrow, with the approval of the Government, on security of the property of the University, moneys for the purposes of the University;(30)to assess the needs in terms of subjects, fields of specialization, levels of education and training of technical manpower, both on short and long term basis, and to initiate necessary programmes to meet these needs;(31)to initiate measures to enlist the co-operation of the industry and other expert agencies to provide complementary facilities;(32)to provide for instruction through "distance learning" and "open approach" and for mobility of students from the non-formal or open learning stream to the formal stream and vice-versa;(33)to prescribe a code of ethics, code of conduct and disciplinary rules for its employees and Code of Discipline for the students; and(34)to do all such other acts and things as may be necessary or incidental to the exercise of all or any of the powers of the University or necessary for or conducive to the attainment of all or any of the objects of the University.

## **8. 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 or political opinion in order to entitle him to be appointed as a teacher of the University or to hold any other office therein or to be admitted as a student of the University, or to graduate, thereat, or to enjoy or exercise any privilege thereof.(2)Nothing in this section shall be deemed to prevent the University from making any special provision for the appointment or admission of women or of person belonging to the weaker sections of the society, and in particular, of persons belonging to the Scheduled Castes and the Scheduled Tribes.

## **9. Teaching in the University.**

(1)The teaching in connection with the degree, diploma and certificate programmes of the University shall be conducted in accordance with the Ordinances and Regulations.(2)The courses and curricula and the authorities responsible for organizing the teaching of such courses and curricula shall be as prescribed by the Ordinances.

## **10. Visitor of the University.**

(1)The President of the Republic of India shall be the Visitor of the University.(2)Any dispute arising between the University and any other University established by law in Delhi, may be referred to the Visitor whose decision shall be final and binding on the parties.

## **11. Chancellor of the University.**

(1)The Lieutenant Governor of the National Capital Territory of Delhi shall be the Chancellor of the University.(2)The Chancellor shall, if present, preside over the convocation of the University for conferring degrees.(3)The Chancellor shall have the right to cause an inspection, to be made by such person or persons as he may direct, of the University, a college maintained by the University, its buildings, laboratories and equipment, and also of the examination, teaching and other work conducted or done by the University, and to cause an inquiry to be made in the like manner in respect of any matter connected with the administration or finances of the University.(4)The Chancellor 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 such representation to the Chancellor, as it may consider necessary, within such period as specified in the notice.(5)After considering the representation, if any, made by the University, the Chancellor may cause to be made such inspection or inquiry as is referred to in sub-section (3).(6)In case, an inspection or inquiry has been caused to be made, by the Chancellor, the University shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.(7)The Chancellor may address the Vice-Chancellor with reference to the result of such inspection or inquiry as is referred to in sub-section (3) and the Vice-Chancellor shall communicate to the Board of Management the views of the Chancellor with such advice as the Chancellor may be pleased to offer upon the action to be taken thereon.(8)The Board of Management shall communicate through the Vice-Chancellor to the Chancellor such action, if any, as it proposes to take or has been taken by it upon the result of such inspection or inquiry.(9)In case, the Board of Management does not, within a reasonable time; take action to the satisfaction of the Chancellor, the Chancellor may issue such directions as he may think fit and the Board of Management shall comply with such directions.(10)Without prejudice to the foregoing provisions of this section, the Chancellor 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, the Chancellor shall call upon the University to show cause why such an order should not be made and shall consider the cause shown, if any, within the time-limit specified by him.(11)The Chancellor shall have such other powers as may be prescribed.

## **12. Officers of the University.**

- The following shall be the officers of the University:-(1)the Vice-Chancellor;(2)the Pro-Vice-Chancellor;(3)the Deans;(4)the Registrars;(5)the Controller of Finance; and(6)such other officers as may be declared officer of the University. by the Statutes to be the

## **13. Vice-Chancellor of the University.**

(1)The Vice-Chancellor shall be a scholar of eminence in one of the areas of applied sciences, engineering and management, having administrative experience in a Post Graduate Degree level institution of higher learning.(2)The Vice-Chancellor shall be appointed by the Chancellor, in such manner, for such terms and on such emoluments and other conditions of service as may be prescribed.(3)The Vice-Chancellor shall be the principal 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 all authorities of the University.(4)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 Chancellor 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.(5)The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes and the Ordinances.

#### **14. Pro-Vice-Chancellor of the University.**

- 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.

#### **15. The Deans.**

- Every Dean shall be appointed in such manner, and shall exercise such powers and perform such duties as may be prescribed.

#### **16. The Registrars.**

(1)Every Registrar 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.(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.

#### **17. The Controller of Finance.**

- The Controller of Finance shall be appointed in such manner, on such emoluments and other conditions of service and shall exercise such powers and perform such duties as may be prescribed.

#### **18. Other Officers.**

- The manner of appointment, emoluments, powers and duties of the other officers of the University shall be such as may be prescribed.

## **19. Authorities of the University.**

- The following shall be the authorities of the University :-(1)The Court;(2)The Board of Management;(3)The Academic Council;(4)The Planning Board;(5)The Finance Committee; and(6)Such other authorities as may be declared by the Statutes to be the authorities of the University.

## **20. The Court.**

(1)The Court of the University shall consist of the following persons:-(a)Chancellor;(b)Vice-Chancellor;(c)Five eminent persons in the disciplines of basic and applied sciences, engineering, technology and management, nominated by the Government;(d)Principal Secretary or Secretary (Finance) to Government ex-officio;(e)Principal Secretary or Secretary (Higher Education) to Government ex-officio;(f)Principal Secretary or Secretary (Technical Education) to Government ex-officio;(g)A representative of the University Grants Commission;(h)A representative of All India Council for Technical Education established under the All India Council for Technical Education Act, 1987 (52 of 1987);(i)Registrar of the University.(2)(i)The term of office of the nominated members of the Court, other than ex-officio members, shall be three years.(ii)Where a person has become a member of the Court by reason of the office or appointment he holds, his membership shall terminate when he ceases to hold that office or appointment.(iii)A member of the Court shall cease to be a member if he resigns or becomes of unsound mind, or becomes insolvent or is convicted of a criminal offence involving moral turpitude. A member, other than the Vice-Chancellor, shall also cease to be a member if he accepts a full time appointment in the University; or if he not being an ex-officio member fails to attend three consecutive meetings of the Court without the leave of the Chancellor.(iv)A member of the Court other than an ex-officio member may resign his office by a letter addressed to the Chancellor and such resignation shall take effect as soon as it has been accepted by him.(v)Any vacancy in the Court shall be filled by nomination by the respective nominating authority and on expiry of the period of the vacancy; such nomination shall cease to be effective.

## **21. Powers, functions and meetings of the Court.**

(1)Subject to the provisions of this Act, the Court shall review, from time to time, the broad policies and programmes of the University and suggest measures for the improvement and development of the University, the Court shall also have the following other powers and functions, namely:-(a)to consider and pass resolution on the annual report and the annual accounts of the University and the report of its auditors on such accounts;(b)to advise the Chancellor in respect of any matter which may be referred to it for advice;(c)to perform such other functions as may be prescribed.(2)(i)The Court shall meet at least once in a year. An annual meeting of the Court shall be held on the date to be fixed by the Board of Management, unless some other date has been fixed by the Court in respect of any year and meeting of the Court shall be presided over by the Chancellor when he is present;(ii)The Annual Report of the University during the previous year, together with annual accounts, the balance sheet as audited, shall be presented by the Vice-Chancellor to the Court at its annual meeting.(3)(i)Meeting of the Court shall be called by the Chancellor or by the



Vice-Chancellor either on his own or at the request of not less than half the members of the Court;(ii)For every meeting of the Court, normally fifteen days notice shall be given;(iii)One-third of the members existing on the rolls of the Court shall form the quorum;(iv)Each member shall have one vote and if there be equality of votes on any question to be determined by the Court, the person presiding over the meeting shall, in addition, have a casting vote;(v)In case of difference of opinion among the members, the opinion of the majority shall prevail; and(vi)If urgent action by the Court becomes necessary, the Vice-Chancellor may permit the business to be transacted by circulation of papers to the members of the Court. The action so proposed to be taken shall not be taken unless agreed to by a majority of members of the Court. The action so taken shall be forthwith intimated to all the members of the Court. In case the authority concerned fails to take a decision the matter shall be referred to the Chancellor, whose decision shall be final.

## **22. The Board of Management.**

(1)The Board of Management shall be the principal executive body of the University and, as such, shall have all powers necessary to administer the University subject to the provisions of this Act and the Statutes made thereunder, and may make ordinances and regulations for that purpose and also with respect to matters provided hereunder.(2)The Board of Management shall consist of the following persons, namely:-(a)The Vice-Chancellor of the University;(b)Three eminent persons in the disciplines of science, engineering, technology and management, nominated by the Government;(c)Two Professors of the University nominated by the Government;(d)Two Deans of the University nominated by the Government;(e)A representative of an Industry Association, nominated by the Government;(f)Principal Secretary or Secretary (Finance) to the Government ex-officio;(g)Principal Secretary or Secretary (Higher Education) to the Government ex-officio;(h)Principal Secretary or Secretary (Technical Education) to the Government ex-officio;(i)such other member or members as may be prescribed by the Statutes.(3)Where a person has become a member of the Board of Management by reason of the office or appointment he holds, his membership shall terminate when he ceases to hold that office or appointment.(4)The term of office of the nominated members of the Board of Management other than ex-officio members shall be three years.(5)A member of the Board of Management shall cease to be a member, if he resigns or becomes of unsound mind, or becomes insolvent or is convicted of a criminal offence involving moral turpitude. A member, other than a Vice-Chancellor, Professor or Dean, shall also cease to be a member if he accepts a full time appointment in the University; or if he not being an ex-officio member fails to attend three consecutive meetings of the Board of Management without the leave of the Vice-Chancellor.(6)A member of the Board of Management other than ex-officio member may resign his office by a letter addressed to the Vice- Chancellor and such resignation shall take effect, as soon as it has been accepted by him.(7)Any vacancy in the Board of Management shall be filled by nomination by the respective nominating authority and on expiry of the period of the vacancy; such nomination shall cease to be effective.

## **23. Powers, functions and meetings of the Board of Management.**

(1)The Board of Management shall be the principal executive authority of the University and, as such, shall have all powers necessary to administer the University subject to the provisions of this

Act and the Statutes made thereunder; and may make ordinances and regulations for that purpose and also with respect to matters provided hereunder.(2)The Board of Management shall have the following powers and functions, namely :-(i)to appoint the Registrar of the University on the recommendations of the Selection Committee constituted for that purpose;(ii)to present to the Court at its annual meeting-(a)annual report of the University; and(b)annual accounts;(iii)to manage and regulate the finances, accounts, investments, properties, business and all other administrative affairs of the University and for that purpose, constitute committees and delegate the powers to such committees or such officers of the University as it may deem fit;(iv)to invest any money belonging to the University, including any unapplied income, in such stock, funds, shares or securities as it may, from time to time, think fit, or in the purchase of immovable property in India, with the like power of varying such investments from time to time except land acquired or buildings constructed with the assistance of the Government, in which cases the prior approval of the Government shall be required;(v)to enter into, vary, carryout and cancel contracts on behalf of the University and for that purpose to appoint such officers as it may think fit;(vi)to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;(vii)to entertain, adjudicate upon, and if it thinks fit, to redress any grievances of the officers, the teachers, the students and the employees of the University;(viii)to create, institute and appoint persons to academic as well as other posts in the institute and determine salary structure and terms and conditions of different cadres of employees;(ix)to appoint persons in teaching, administrative and ministerial posts;(x)to appoint examiners and moderators, and if necessary to remove them and to fix their fees, emoluments and travelling and other allowances, after consulting the Academic Council;(xi)to select a common seal for the University;(xii)to exercise such other powers and to perform such other duties as may be considered necessary or imposed on it by or under this Act.(3)(a)The Board of Management shall meet, at least once in three months and not less than fifteen days' notice shall be given for such meetings.(b)The meetings of the Board of Management shall be called by the Registrar under instructions of the Vice-Chancellor or at the request of not less than five members of the Board of Management.(c)One-third of the members of the Board of Management shall form the quorum at any meeting.(d)In case of difference of opinion among the members, the opinion of the majority shall prevail.(e)Each member of the Board of Management shall have one vote and if there be equality of votes on any question to be determined by the Board of Management, the Chairman of the Board of Management or, as the case may be, the member presiding over that meeting shall, in addition, have a casting vote.(f)Every meeting of the Board of Management shall be presided over by the Vice-Chancellor and in his absence by a member chosen by the members present.(g)If urgent action by the Board of Management becomes necessary, the Vice-Chancellor may permit the business to be transacted by circulation of papers to the members of the Board of Management. The action so proposed to be taken shall not be taken unless agreed to by a majority of members of the Board of Management. The action so taken shall be forthwith intimated to all the members of the Board of Management. In case the authority concerned fails to take a decision, the matter shall be referred to the Chancellor, whose decision shall be final.

## **24. 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 the Ordinances, have the control and regulation of, and be responsible for, the maintenance of standards of instruction, education, research and examination within the University and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.(2)The Academic Council shall have the right to advise the Board of Management on all academic matters.(3)The Academic Council shall consist of the following persons, namely :-(a)the Vice-Chancellor who shall be the Chairman;(b)three persons from amongst educationists of repute or men of letters or eminent industrialists from disciplines of science, engineering and management, who are not in the service of the University, and nominated by the Government;(c)a nominee of the University Grants Commission;(d)a nominee of the All India Council of Technical Education;(e)a nominee of the industry association;(f)all Deans of the University;(g)three Professors nominated by the Vice-Chancellor on rotation as per seniority;(h)all Heads of the schools/departments;(i)Controller of examinations;(j)two members of the teaching staff, one each respectively representing the associate and assistant professors nominated by the Vice-Chancellor;(k)such other members as may be prescribed by the Statutes.(4)The term of the members of the Academic Council, other than ex-officio members, shall be three years.

## **25. Powers, functions and meetings of the Academic Council.**

(1)Subject to the provisions of this Act, Statutes, Ordinances and Regulations and overall supervision of the Board of Management, the Academic Council shall manage the Academic affairs and matters in the University and in particular shall have the following powers and functions, namely :-(i)to report on any matter referred or delegated to it by the Board of Management;(ii)to make recommendations to the Board of Management with regard to the creation, abolition or classification of teaching posts in the University and the emoluments payable and the duties attached thereto;(iii)to formulate and modify or revise schemes for the organization of the faculties and to assign to such faculties their respective subjects and also to report to the Board of Management as to the expediency of the abolition or sub-division of any Faculty or the combination of one faculty with another;(iv)to recommend arrangements for the instruction and examination of persons other than those enrolled in the University;(v)to promote research within the University and to require from time to time, reports on such research;(vi)to consider proposals submitted by the faculties;(vii)to lay down policies for admissions to the University;(viii)to recognise diplomas and degrees of other Universities and Institutions and to determine their equivalence in relation to the certificates, diplomas and degrees of the Universities;(ix)to fix, subject to any conditions accepted by the Board, the time, mode and conditions of the competition for Fellowships, Scholarships and other prizes and to recommend for award of the same;(x)to make recommendations to the Board of Management with regard to the appointment of examiners and, if necessary, their removal and fixation of their fees, emoluments and travelling and other expenses;(xi)to recommend arrangements for the conduct of examinations and the dates for holding them;(xii)to declare or review the result of the various examinations or to appoint committees or officers to do so, and to make recommendations regarding the conferment or grant of degrees,

honours, diplomas, licences, titles and marks of honour;(xiii)to recommend stipends, scholarships, medals and prizes and to make other awards in accordance with the regulations and such other conditions as may be attached to the awards;(xiv)to approve the syllabus for the prescribed courses of study and to approve or revise lists of prescribed or recommended text books and to publish the same;(xv)to approve such forms and registers as are, from time to time, required by the ordinances and regulations;(xvi)to formulate, from time to time, the desired standards of education to be adhered in drawing up the curriculum and syllabi for being taught in the University;(xvii)to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of this Act and the ordinances and regulations made thereunder.(2)(i)The Academic Council shall meet as often as may be necessary, but not less than three times, during an academic year.(ii)One-third of the existing members of the Academic Council shall form the quorum for a meeting of the Academic Council.(iii)In case of difference of opinion among the members, the opinion of the majority shall prevail.(iv)Each member of the Academic Council, including the Chairman of the Academic Council, shall have one vote and if there be an equality of votes on any question to be determined by the Academic Council, the Chairman of the Academic Council, or, as the case may be, the member presiding over that meeting, shall in addition, have a casting vote.(v)Every meeting of the Academic Council shall be presided over by the Vice-Chancellor and in his absence by a member chosen in the meeting to preside on the occasion.(vi)If urgent action by the Academic Council becomes necessary, the Chairman of the Academic Council may permit the business to be transacted by circulation of papers to the members of the Academic Council. The action proposed to be taken shall not be taken unless agreed to, by a majority of the members of the Academic Council. The action so taken shall forthwith be intimated to all the members of the Academic Council. In case the authority concerned fails to take a decision, the matter shall be referred to the Chancellor, whose decision shall be final.

## **26. The Planning Board.**

(1)There shall be constituted a Planning Board of the University to be the principal planning body of the University and shall also be responsible for monitoring the development of the University.(2)The constitution of the Planning Board, the term of office of its members and its powers and functions shall be such as may be prescribed.

## **27. The Departments and the Schools.**

(1)There shall be such number of Departments and Schools of studies and research as the University may determine from time to time.(2)The constitution, powers and functions of a Department and School shall be such as may be prescribed.

## **28. The Finance Committee.**

(1)There shall be a Finance Committee constituted by the Board of Management consisting of the following :-(a)The Vice-Chancellor-Chairman;(b)The Principal Secretary or Secretary (Finance) to Government ex-officio;(c)The Principal Secretary or Secretary (Technical Education) to Government ex-officio;(d)Two other members nominated by the Board of Management from amongst its

members, of whom at least one should not be an employee of the University;(e)The Registrar of the University;(f)Controller of Finance will be the member Secretary;(g)Such other members as may be prescribed by the Statutes.(2)The members of the Finance Committee other than the Vice-Chancellor, shall hold office so long as they continue as members of the Board of Management.(3)The functions and duties of the Finance Committee shall be as follows :-(a)to examine and scrutinise the annual budget of the University and to make recommendations on financial matters to the Board of Management;(b)to consider proposals for new expenditure and to make recommendations to the Board of Management;(c)all proposals relating to revision of grades, up gradation of the pay-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;(d)to consider the annual accounts and the financial estimates of the University, prepared by the Controller of Finance and laid before the Finance Committee for approval and thereafter submitted to the Board of Management;(e)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, without the approval of the Finance Committee;(f)to give its views and to make recommendations to the Board of Management on any financial question affecting the University either on its own initiative or on reference from the Board of Management or the Vice-Chancellor.(4)The Finance Committee shall meet, at least, four times in a year. Three members of the Finance Committee shall form the quorum at any meeting.(5)The Vice-Chancellor shall preside over the meetings of the Finance Committee, and in his absence, a member elected at the meeting shall preside. In case of difference of opinion among the members, the opinion of the majority of the members present shall prevail.

## **29. Other authorities.**

- The constitution, powers and functions of the other authorities which may be declared by the Statutes to be the authorities of the University, shall be such as may be prescribed.

## **30. Statutes.**

- Subject to the provisions of this Act, the statutes may provide for all or any of the following matters, namely :-(a)the constitution, powers and functions of the authorities and other bodies of the University, as may be found necessary to be constituted from time to time;(b)the selection and continuance in office of the members of the authorities and bodies of the University, the filling up of vacancies of members and all other matters relating thereto which the University may deem necessary or desirable to provide;(c)terms and conditions for continuation of the teachers and other employees, in the employment of the erstwhile Delhi College of Engineering;(d)the manner of appointment of the officers of the University, terms and conditions of their service, their powers and duties and emoluments;(e)the manner of appointment of the teachers of the University, other academic staff, the other employees and their emolument;(f)the manner of appointment of teachers and other academic staff working in any other University for a specified period for undertaking a joint project, their terms and conditions of service and emoluments;(g)the terms and conditions of service of the teachers and other members of the academic staff appointed by the University;(h)the terms and conditions of other employees appointed by the University;(i)the constitution of the

pension or the provident fund and the establishment of and insurance scheme for the benefit of the employees of the University;(j)the principles governing the seniority of employees of the University;(k)the procedure for any appeal by an employee or a student of the University;(l)conferment of honorary degrees;(m)institution of fellowships, scholarships, studentships, medals, prizes and other incentives;(n)maintenance of discipline among the employees of the University;(o)establishment of chairs, schools of studies and departments;(p)management, supervision and inspection of colleges and institutions established and/or maintained by the University;(q)the delegation of powers vested in the authorities or the officers of the University;(r)all other matters which, by or under this Act, are to be, or may be, provided for by the statutes.

### **31. Statutes how made.**

(1)The first Statutes shall be those made by the Government with the prior approval of the Chancellor within thirty days of the commencement of this Act.(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 Statutes affecting the status, powers or constitution of any authority of the University until such authority has been given a reasonable opportunity of expressing its opinion in writing on the proposed change and any opinion so expressed within the time specified by the Board of Management 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 Chancellor, who may assent thereto or withhold his assent or remit it to the Board of Management for reconsideration in the light of the 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 received the assent of the Chancellor, who will take into consideration the views of the concerned department while deciding the matter :Provided that if the Chancellor does not convey his decision within ninety days of the reference received by him, it shall be deemed that the Chancellor has given his assent to the proposal.

### **32. 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 the award of degrees, diplomas, certificates and other academic distinctions, the conditions for the grant of fellowships and awards and the like;(b)the conduct of examinations, including the terms and conditions of office and appointment of examiners;(c)the conditions of residence of students and their general discipline;(d)the management of colleges and institutions maintained by the University;(e)the procedures for the settlement of disputes between the employees and the University, or between the students and the University;(f)the procedures for the settlement of disputes between the employees or students;(g)the procedure for any appeal by an aggrieved employee or a student;(h)maintenance of discipline among the students of the University;(i)regulation of the conduct and duties of the employees of the University and regulation of the conduct of the students of the University;(j)the

categories of misconduct for which action may be taken under this Act or the Statutes or the Ordinances;(k)any other matter which, by or under 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 prior approval of the Government and the Ordinances so made may be amended, repealed or added to, at any time by the Board of Management in such manner as may be prescribed.

### **33. Regulations.**

- The authorities of the University may make regulations consistent with this Act, the Statutes and the Ordinances, in the manner prescribed by the Statutes 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.

### **34. 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 fulfillment of its objects.(2)The annual report so prepared shall be submitted to the Chancellor within six months from the date of completion of the academic year.(3)A copy of the annual report, as prepared under sub-section (1), shall also be submitted to the Government which shall, as soon as may be, cause the same to be laid before the Legislative Assembly of Delhi.

### **35. Annual Accounts.**

(1)The annual accounts and the balance sheet of the University shall be prepared under the direction of the Board of Management and shall, at least, once every year 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 authorize in this behalf.(2)A copy of the annual accounts together with the audit report shall be submitted to the Chancellor and the Court along with the observations, if any, of the Board of Management.(3)Any observation made by the Court on the annual account shall be brought to the notice of the Board of Management and the action taken on these observations shall be brought to the notice of the Court and the Chancellor within the time period specified by the Court.(4)A copy of the annual accounts together with the audit report as submitted to the Chancellor, shall also be submitted to the Government, which shall, as soon as may be, cause the same to be laid before the Legislative Assembly of Delhi.

### **36. Conditions of service of employees.**

(1)The University shall enter into a written contract of service with every new employee of the University appointed, on regular basis or otherwise and the terms and conditions of the contract shall not be inconsistent with the provisions of this Act, the Statutes and the Ordinances.(2)A copy of the contract referred to in sub-section (1) shall be lodged with the University and a copy thereof shall also be furnished to the employee concerned.

### **37. Tribunal of Arbitration.**

(1) Any dispute arising out of a contract of employment referred to in Section 36 between the University and the employee or between the University and the employees of the erstwhile Delhi College of Engineering in terms of the provisions of Section 4, shall 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 as umpire to be nominated by the Chancellor. (2) Every such reference shall be deemed to be a submission to arbitration on the terms of this section within the meaning of the Law of Arbitration as in force, and all the provisions of that Law, with the exception of Section 2 thereof, shall apply accordingly. (3) The procedure for regulating the work of the Tribunal of Arbitration shall be such as may be prescribed. (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 any matter decided by the Tribunal.

### **38. Provident and Pension Funds.**

- The University shall constitute for the benefit of its employees such provident fund or pension fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed. As regards existing faculty and staff the provident and pension schemes prevailing to their services in the Delhi College of Engineering will be applicable.

### **39. Disputes as to the constitution of the University authorities and bodies.**

- If any question arises as to whether any person has been duly 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 Chancellor whose decision thereon shall be final.

### **40. 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 members 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.

### **41. Proceedings of the University authorities or bodies not invalidated by vacancies.**

- No act or proceedings of any authority or other body shall be invalidated merely by reason of the existence of any vacancy or vacancies among its members.



## **42. Protection of action taken in good faith.**

- No suit or other legal proceeding shall lie in any Court against the University or against any authority, officer or employee of the University or against any person or body of persons acting under the order or direction of any authority or officer or other 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 or the Statutes or the Ordinances.

## **43. Mode of proof of the 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, shall be admitted as evidence of the matters and transactions specified therein, where the original thereof would if produced, have been admissible in evidence.

## **44. Power to remove difficulties.**

- If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty :Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

## **45. Transitional provisions.**

- Notwithstanding anything contained in this Act and the Statutes-(a)the first Vice-Chancellor, the first Registrars and the Controller of Finance shall be appointed by the Chancellor and they shall be governed by the terms and conditions of service specified by the Statutes;(b)the first Court and the first Board of Management shall be nominated by the Chancellor and shall hold office for a term of three years.

## **46. Statutes and Ordinances to be published in the Official Gazette and to be laid before the Legislature.**

(1)Every Statute and Ordinance made under this Act shall be published in the Official Gazette.(2)Every Statute and Ordinance made under this Act shall be laid, as soon as may be after it is made, before the House of the Legislative Assembly of Delhi while it is in session for a total period of thirty days which may be comprised in one session or two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the House agrees in making any modification in the Statute or the Ordinance or the House agrees that the Statute or the Ordinance, as the case may be, should not be made, the Statute

or the Ordinance 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 or Ordinance as the case may be.

#### **47. Honorary degree.**

- If not less than two-third of the members of the Academic Council recommend that an honorary degree or academic distinction be conferred on any person on the ground that he is, in their opinion, by reason of eminent attainment and position, fit and proper to receive such degree or academic distinction, the Chancellor may, by an order, decide that the same may be conferred on the person recommended.

#### **48. Withdrawal of degree or diploma.**

(1)The Board of Management may, on the recommendation of the Academic Council, withdraw any distinction, degree, diploma or privilege conferred on, or granted to, any person, by a resolution passed by the majority of the total membership of the Board present and voting at the meeting, if such person has been convicted by a Court of law for an offence, which, in the opinion of the Board, involves moral turpitude or if he has been guilty of gross misconduct.(2)No action under sub-section (1) shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken.(3)A copy of the resolution passed by the Board of Management shall be immediately sent to the person concerned.(4)Any person aggrieved by the decision taken by the Board of Management may appeal to the Chancellor within thirty days from the date of receipt of such resolution.(5)The decision of the Chancellor in such appeal shall be final.

#### **49. Discipline.**

(1)The final authority responsible for maintenance of discipline among the students of the University shall be the Vice-Chancellor. The directions of the Vice-Chancellor in that behalf shall be carried out by the Heads of Departments, hostels and institutions.(2)Notwithstanding anything contained in sub-section (1), the punishment of debarring a student from an examination or rustication from the University or an institution shall, on the report of the Vice-Chancellor, be considered and imposed by the Board of Management:Provided that no such punishment shall be imposed without giving the student concerned a reasonable opportunity to show cause against the action proposed to be taken against him.

#### **50. Deemed validity of appointments.**

- Notwithstanding anything contained in any other law or instrument having the force of law for the time being in force, the appointments made to any post in the University in accordance with the Statutes and regulations shall be deemed to be valid and in accordance with law.

## **51. Overriding effect.**

- The provisions of this Act and the rules, Statutes and regulations made thereunder shall have effect notwithstanding anything inconsistent contained therewith in any other law or instrument having the force of law for the time being in force.

## **52. Sponsored Schemes.**

- Whenever the University receives funds from any Government, the University Grants Commission or other agencies sponsoring a scheme to be executed by the University, notwithstanding anything in this Act or the regulations-(a)the amount received shall be kept by the University separately from the University Fund and utilized only for the purpose of the scheme; and(b)the staff required to execute the scheme shall be recruited in accordance with the terms and conditions stipulated by the sponsoring organization.