

# Guru Gobind Singh Indraprastha University Act, 1998

DELHI

India

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### Act 9 of 1998

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Guru Gobind Singh Indraprastha University Act, 1998(Act No. 9 of 1998)Last Updated 6th January, 2020An Act to establish and incorporate an affiliating and teaching University at Delhi to facilitate and promote studies, research and extension work in emerging areas of higher education with focus on professional education, for example engineering, technology, management studies, medicine, pharmacy, nursing, education, law, etc., and also to achieve excellence in these and connected fields and other matters connected therewith or incidental thereto.BE it enacted by the Legislative Assembly of the National Capital Territory of Delhi in the forty-ninth year of the Republic of India as follows:-

### 1. [ Short title and commencement. [As amended by the Indraprastha Vishwavidyalaya (Second Amendment) Act, 1999.]

(1)This Act may be called the Guru Gobind Singh Indraprastha University Act, 1998.(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)"approved institution" means an institution of higher learning approved by the University;(d)"approved teachers" means persons working in any approved institution or in any institution associated with the University and approved by the University for the purpose of imparting instruction, or conducting research, or both;(e)"Board of Management" means the Board of Management of the University;(f)"Board of Studies" means the Board of Studies of the University;(g)"campus" means the unit established or constituted by the University for making arrangements for instruction, or research, or both;(h)"Chancellor", "Vice-Chancellor" and "Pro Vice-Chancellors" mean, respectively, the Chancellor, the Vice-Chancellor and the Pro Vice- Chancellors of the University;(i)"college" means an academic

institution maintained or admitted by the University to its privileges, and includes an affiliated college;(j)"Court" means the Court of the University;(k)"Delhi" means the National Capital Territory of Delhi;(l)"Director" means the head of an institution;(m)"Department" means a department of studies of the University;(n)"employee" means any person appointed by the University, college or institution, as the case may be;(o)"governing body", in relation to a college or an institution, means the governing body or any other body, by whatever name called, charged with the management of the affairs of such college or institution, as the case may be, and recognized as such by the University;(p)"Government" means the Lieutenant Governor of Delhi referred to in article 239 AA of the Constitution;(q)"hall" means a unit of residence or of corporate life for the students of the University, a college or an institution provided, maintained or recognized by the University;(r)"institution" means an academic institution other than a college, maintained by, or admitted to, the privileges of the University;(s)"Lieutenant Governor" means the Lieutenant Governor of Delhi appointed by the President under article 239 of the Constitution;(t)"misconduct" means a misconduct prescribed by the Statutes;(u)"notification" means a notification published in the official Gazette;(v)"prescribed" means prescribed by the Statutes made under this Act;(w)[ "Principal" means the head of a college and includes, where there is no Principal, the person who is for the time being duly appointed to act as the Principal, and in the absence of the Principal or the acting Principal, as the case may be, a Vice-Principal duly appointed as such;] [Substituted by the Indraprastha Vishwavidyalaya (Amendment) Act, 1998, section 2.](x)"recognized teachers" means such persons as are approved by the University for the purpose of imparting instruction in a college or an institution admitted to the privileges of the University;(y)"school" means a school of studies of the University;(z)"Statutes", "Ordinances" and "Regulations" mean respectively the Statutes, Ordinances and Regulations of the University for the time being in force;(za)[ "University" means the Guru Gobind Singh Indraprastha University as incorporated under this Act; and [As amended by the Indraprastha Vishwavidyalaya (Second Amendment) Act, 1999.](zb)"University teachers" means professors, readers, lectures 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. [Substituted by the Indraprastha Vishwavidyalaya (Amendment) Act, 1998, section 3 to be read with Indraprastha Vishwavidyalaya (Second Amendment) Act, 1999.]**

(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 "Guru Gobind Singh Indraprastha University", comprising the Chancellor and the Vice-Chancellor, the first members of the Court, the Board of Management and the Academic Council of the University and all such persons as may hereafter be appointed at 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.]

#### **4. [ Jurisdiction. [Substituted by the Indraprastha Vishwavidyalaya (Amendment) Act, 1998, section 4.]**

(1) 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 Region as defined in the National Capital Region Planning Board Act, 1985 (2 of 1985). (2) No college or institution situated within the jurisdiction of the University shall be compulsorily affiliated to the University, and affiliation shall be granted by the University only to such college or institution as may agree to accept the Statutes and the Ordinances.]

#### **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, from time to time, determine and to make provision 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 in the manner prescribed by the Statutes; (4) to organize and to undertake extramural studies and extension services; (5) to institute principalships, professorships, readerships, lecturerships and other teaching and academic positions required by the University and to appoint persons to such principalships, professorships, readerships, lecturerships and other academic positions; (6) to recognise persons as professors, readers, or lecturers and others as teachers of the University; (7) to provide for the terms and conditions of service of-(i) teachers and other members of the academic staff appointed by the University; (ii) teachers and other members of the academic staff appointed by any college or institution; and (iii) other employees, whether appointed by the University or any college or institution; (8) to appoint persons working in any other university or organisation 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; (11) to approve persons working in any institution co-operating, collaborating or associating with the University, for imparting instruction or supervising research, or both, and to withdraw such approval; (12) to approve an institution of higher learning for such purposes as the University may determine and to withdraw such approval; (13) to approve persons working in any approved institution for imparting instruction or supervising research, or both, and to withdraw such approval; (14) to declare colleges and institutions, with their consent, in the manner prescribed, as autonomous colleges and institutions, and determine the extent of the autonomy and the matters in relation to which they may exercise such autonomy; (15) to build up a body of academia to perform academic functions, and to pay them remuneration in the manner prescribed; (16) to arrange to send visiting committees to colleges and institutions at the affiliation stage and also during the period of affiliation at regular intervals; (17) to prescribe fees and other charges to be levied on the students of self-financing colleges and institutions and to ensure that these are run on "no profit-no loss basis"; (18) to coordinate the work of different colleges and institutions working in the same and similar areas; (19) To set up central facilities like computer

centre, instrumentation centre, library, etc;(20)to set up curriculum development centres for different subjects;(21)to admit to its privileges colleges and institutions, not maintained by the University, in accordance with such conditions as may be prescribed and to withdraw all or any of these privileges;(21A)[ to establish and maintain colleges, institutions and such other centres of education, research, training and extension as deemed appropriate by the University;] [Inserted by the Indraprastha Vishwavidyalaya (Amendment) Act, 1998, section 5, sub-section (i)](22)to recognise halls not maintained by the University and to withdraw any such recognition;(23)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;(24)to prescribe fees for affiliation of colleges and institutions;(25)to determine standards for admission to the University which may include examination, evaluation or any other method of selection;(26)to institute and award fellowships, scholarships, studentships, medals and prizes;(27)to demand and receive payment of fees and other charges;(28)to supervise the residence of the students of the University and to make arrangements for promoting their health and general welfare;(29)to make such special arrangements in respect of women students as the University may consider desirable;(30)to regulate the conduct of the students of the University and of colleges and institutions;(31)to regulate the work and conduct of the employees of the University and of the employees of the colleges and institutions;(32)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;(33)to prescribe code of conduct for managements of affiliated colleges and institutions;(34)to make arrangements for promoting the health and general welfare of the employees of the University and those of colleges and institutions;(35)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;(36)to acquire, hold, manage and dispose of any property, movable or immovable, including trust and endowment properties, for the purposes of the University;(37)to borrow, with the approval of the Government, on security of the property of the University, moneys for the purposes of the University;(38)[ 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;] [Substituted by the Indraprastha Vishwavidyalaya (Amendment) Act, 1998, section 5, sub-section (ii)](39)to initiate measures to enlist the cooperation of the industry to provide complementary facilities;(40)to provide for instruction through "distance learning" and "open approach" and for mobility of students from the non-formal (open learning) stream to the formal stream and vice-versa;(41)to evolve an operational scheme for enforcing the accountability of the teachers and other employees to the University system;(42)to prescribe a Code of Ethics for the teachers, Code of Conduct for other employees and Code of Discipline for the students; and(43)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.

## **6. 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 persons belonging to the weaker sections of the society, and in particular, of persons belonging to the Scheduled Castes and the Scheduled Tribes.

## **7. The Visitor.**

(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 the National Capital Region as defined in the National Capital Region Planning Board Act, 1985 (2 of 1985), may be referred to the Visitor whose decision shall be final and binding on the parties.] [Substituted by the Indraprastha Vishwavidyalaya (Amendment) Act, 1998, section 6]

## **8. The Chancellor.**

(1)The Lieutenant Governor 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 or an institution maintained by the University, their buildings, laboratories and equipment, and also of the examination, teaching and other work conducted or done by the University, college or institution, as the case may be, 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, college or institution, as the case may be.(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)Where 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)Where 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 power as may be prescribed.

## **9. Officers of the University.**

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

## **10. The Vice-Chancellor.**

(1)The Vice-Chancellor shall be a scholar of eminence having administrative experience in a national level institution of learning.(2)The Vice-Chancellor shall be appointed by the Chancellor in such manner, for such term 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 the 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 may cause an inspection, to be made by such person or persons as he may direct, of a college or an institution, not being maintained by the University, its buildings, laboratories and equipment and also the examination, teaching and other work done by the college or the institution and cause an inquiry, to be made in the like manner, in respect of any matter connected with the administration or finances of the college or the institution in such manner as may be prescribed.(6)The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes and the Ordinances.

## **11. The Pro Vice-Chancellors.**

- Every Pro Vice-Chancellor shall be appointed in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed.

## **12. The Deans.**

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

### **13. 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.

### **14. 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.

### **15. Other officers.**

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

### **16. 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 Board of Affiliation; (6) the Schools of Studies ; (7) the Finance Committee ; and (8) such other authorities as may be declared by the Statutes to be the authorities of the University.

### **17. The Court.**

(1) The constitution of the Court and the term of office of its members shall be such as may be prescribed. (2) Subject to the provisions of this Act, the Court shall have the following powers and functions, namely: -(a) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University; (b) to consider and pass resolutions on the annual report and the annual accounts of the University and the report of its auditors on such accounts; (c) to advise the Chancellor in respect of any matter which may be referred to it for advice; and (d) to perform such other functions as may be prescribed.

### **18. The Board of Management.**

(1) The Board of Management shall be the principal executive body of the University. (2) The constitution of the Board of Management, the term of office of its members and its powers and functions shall be such as may be prescribed.

## **19. 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 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 constitution of the Academic Council and the term of office of its members shall be such as may be prescribed.

## **20. The Planning Board.**

(1)There shall be constituted a Planning Board of the University which shall be the principal planning body of the University and shall also be responsible for 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.

## **21. The Board of Affiliation.**

(1)The Board of Affiliation shall be responsible for admitting colleges of and institutions to the privileges of the University.(2)The constitution of the Board of Affiliation, the term of office of its members and its powers and functions shall be such as may be prescribed.

## **22. The Schools of Studies.**

(1)There shall be such number of Schools of Studies as the University may determine from time to time.(2)The constitution, powers and functions of the Schools of Studies shall be such as may be prescribed.

## **23. The Finance Committee.**

- The constitution, powers and functions of the Finance Committee shall be such as may be prescribed.

## **24. 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.

## **25. Statutes.**

- Subject to the provision 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 election 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)the manner of appointment of the officers of the University, terms and conditions of their service, their powers and duties and emoluments;(d)the manner of appointment of the teachers of the University, other academic staff, and other employees and their emoluments;(e)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;(f)the terms and conditions of service of the-(i)teachers and other members of the academic staff appointed by the University;(ii)teachers and other members of the academic staff appointed by any college or institution ; and(iii)other employees whether appointed by the University or any college or institution;(g)the constitution of the pension or the provident fund and the establishment of an insurance scheme for the benefit of the employees of the University and those of colleges and institutions;(h)the principles governing the seniority of employees of the University, colleges and institutions;(i)the procedure for any appeal by an employee or a student of the University;(j)conferment of honorary degrees;(k)institution of fellowships, scholarships, studentships, medals and prizes and other incentives ;(l)maintenance of discipline among the employees of the University, and the employees of colleges and institutions;(m)establishment of chairs, schools of studies, departments, colleges and institutions;(n)the conditions under which colleges and institutions may be admitted to the privileges of the University and the conditions under which such privileges may be withdrawn;(o)management, supervision and inspection of colleges and institutions established and maintained by the University;(p)constitution of governing bodies of colleges and institutions admitted to the privileges of the University and the supervision and inspection of such colleges and institutions;(q)the extent of the autonomy which a college or an institution declared as an autonomous college or institution may have and the matters in relation to which such autonomy may be exercised;(r)the delegation of powers vested in the authorities or the officers of the University; and(s)all other matters which, by or under this Act, are to be, or may be, provided for by the Statutes.

## **26. 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 notification 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:Provided that if the Chancellor does not convey his decision within ninety days of the

reference received by him, the Chancellor shall be deemed to have given his assent to the proposal.(5)Notwithstanding anything contained in the foregoing sub-sections, the Chancellor may make new or additional Statutes or amend or repeal the Statutes referred to in subsection( 1), during the period of three years immediately after the commencement of this Act.

## **27. Ordinance.**

(1)Subject to the provisions of the Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:-(i)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;(ii)the conduct of examinations, including the terms and conditions of office and appointment of examiners ;(iii)the conditions of residence of students and their general discipline;(iv)the management of colleges and institutions maintained by the University ;(v)the procedures for the settlement of disputes between the employees and the University, or between the students and the University;(vi)the procedures for the settlement of disputes between the employees or students of a college or an institution and its governing body;(vii)the procedure for any appeal by an aggrieved employee or a student of a college or an institution;(viii)maintenance of discipline among the students of the University, colleges and institutions;(ix)Regulation of the conduct and duties of the employees of the University, colleges and institutions and regulation of the conduct of the students of the University and of colleges and institutions;(x)the categories of misconduct for which action may be taken under this Act or the Statutes or the Ordinances; and(xi)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.

## **28. 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.

## **29. 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 by such date as may be prescribed.(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.

### **30. 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 accounts together with the audit report shall be submitted to the Chancellor and the Court alongwith the observations, if any, of the Board of Management.(3)Any observation made by the Chancellor on the annual accounts shall be brought to the notice of the Court and the views of the Court, if any, shall, after being considered by the Board of Management, be submitted to the Chancellor.(4)A copy of the 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.

### **31. Conditions of service of employees.**

- [(1) The University shall enter into a written contract of service with every 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.] [Substituted by the Indraprastha Vishwavidyalaya (Amendment) Act, 1998, section 7, sub section (1)](2)[ A copy of the contract referred to in subsection( 1) shall be lodged with the University and a copy thereof shall also be furnished to the employee concerned.] [Substituted by the Indraprastha Vishwavidyalaya (Amendment) Act, 1998, section 7, sub section (2).]

### **32. Tribunal Arbitration.**

(1)Any dispute arising out of a contract of employment referred to in section 31 between the University and the employee 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 an 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.

### **33. [ Provident and pension Funds. [Substituted by the Indraprastha Vishwavidyalaya (Amendment) Act, 1998, section 8]**

- 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.]

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

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

### **35. Filling of casual vacancies.**

- All the casual vacancies among the member (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.

### **36. 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.

### **37. 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.

### **38. Mode of proof of University record.**

- A copy of any receipt, application, notice, order, proceedings, resolution of any authority or committee of the University, or other documents in the possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar so designated shall, notwithstanding anything contained in the Indian Evidence Act, 1872 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.

### **39. 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.

#### **40. 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 consist of not more than twenty five members and eleven members respectively who shall be nominated by the Chancellor and shall hold office for a term of three years; and(c)the members of the first Planning Board shall be nominated by the Chancellor and shall hold office for a term of three years.

#### **41. Completion of courses of studies of the University of Delhi in colleges or institutions affiliated to the University.**

- Notwithstanding anything contained in this Act, or in the Statutes or in the Ordinances, any student of a college or institution, who, immediately before the admission of such college or institution to the privileges of the University, was studying for a degree, diploma or certificate of the University of Delhi, shall be permitted by the University to complete his course for that degree, diploma or certificate, as the case may be, and the University and such college or institution shall provide for the instruction and examination of such student in accordance with the syllabus of studies of the University of Delhi.

#### **42. 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. Every Statutes 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 should not be made, the Statute or the Ordinance, as the case may be, 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.