

**THE ALIGARH MUSLIM UNIVERSITY (AMENDMENT)  
ACT, 1951**

**No. LXII OF 1951**



*Repealed by Act 36 of 1957.*

An Act further to amend the Aligarh Muslim University Act, 1920.

[29th October, 1951]

**B**E it enacted by Parliament as follows:—

**1. Short title and commencement.**—(1) This Act may be called the Aligarh Muslim University (Amendment) Act, 1951.

(2) Sections 30 and 31 shall come into force at once, and the remaining provisions of this Act shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions.

**2. Amendment of section 2, Act XL of 1920.**—In section 2 of the Aligarh Muslim University Act, 1920 (hereinafter referred to as the principal Act),—

(a) in clause (d), for the words "or maintained" the words "maintained or recognised" shall be substituted;

(b) clause (e) shall be omitted.

**6. Omission of section 9 in Act XL of 1920.**—Section 9 of the principal Act,—

(i) in clause 3, in sub-clause (b) after the word "institutions," the word "or" shall be inserted and after the said sub-clause (b) as so amended the following sub-clause shall be inserted, namely:—

"(c) being women, shall have pursued a course of private study,";

(ii) in sub-clause (4) the words "on approved persons" shall be omitted;

(iii) in sub-clause (5) after the word "diplomas" the words "and certificates" shall be inserted;

(iv) in sub-clause (7)—

(a) the word "any" shall be omitted;

(b) for the words "and posts" the words "and other posts" shall be substituted;

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66 M of Law 1/2 Secs. 1 to 29 came into force on 3.11.51, vide notif. No. F. 26-16/51-4-3 dt. 3.11.51, Gaz. of India, Pt. I, Sec. 1, p. 470

(v) in sub-clause (8), after the word "scholarships," the word "studentships," shall be inserted;

(vi) in sub-clause (9) for the words "for the residence of" the words "and Hostels and to recognise places of residence for the" shall be substituted;

(vii) in sub-clause (11) after the words "residence and" the words "to regulate the" shall be inserted and the word "and" at the end of the sub-clause shall be omitted;

(viii) after sub-clause (11) the following sub-clauses shall be inserted, namely:—

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

(11B) to create administrative, ministerial and other necessary posts and to make appointments thereto; and";

(ix) in sub-clause (12) all words after the words "the University" shall be omitted.

**4. Amendment of section 7, Act XL of 1920.**—In section 7 of the principal Act, for the words and letters "Part A States and Part C States" the word "India," shall be substituted.

**5. Substitution of new section for section 8 in Act XL of 1920.**—For section 8 of the principal Act, the following section shall be substituted, namely:—

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

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

**6. Omission of section 9 in Act XL of 1920.**—Section 9 of the principal Act shall be omitted.

**7. Substitution of new section for section 11 in Act XL of 1920.**—For section 11 of the principal Act, the following section shall be substituted, namely:—

"11. *Teaching in the University.*—All recognised teaching for the purpose of University degrees, diplomas and certificates shall be conducted in the name of the University and in accordance with the Ordinances and shall include lectures, seminars, tutorial instruction and practical work in the laboratory or in the field."

8. Substitution of new section for section 12 in Act XL of 1920.—For section 12 of the principal Act, the following section shall be substituted, namely:—

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

(2) The University may also, with the sanction of the Visitor and subject to the Statutes and the Ordinances, establish and maintain within the aforementioned limits any other institution whose objects fall within the powers of the University as described in section 5.”

9. Substitution of new section for section 12A in Act XL of 1920.—For section 12A of the principal Act, the following section shall be substituted, namely:—

“12A. Power to recognise Colleges and institutions.—With the approval of the Academic Council and the sanction of the Visitor and subject to the Statutes and the Ordinances, the University may admit Colleges and institutions within fifteen miles of the University Mosque to such privileges of the University as it thinks fit.”

10. Amendment of section 13, Act XL of 1920.—In section 13 of the principal Act,—

(a) for the words ‘Lord Rector’, wherever they occur, the word ‘Visitor’ shall be substituted;

(b) for the word ‘Court’, wherever it occurs, the words ‘Executive Council’ shall be substituted;

(c) in sub-section (2) all the words after the words ‘with the University’ shall be omitted and after the sub-section as so amended the following sub-section shall be inserted, namely:—

“(2A) The Visitor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made, and 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.”; and

(d) after sub-section (5) the following sub-section shall be inserted, namely:—

“(6) Without prejudice to the foregoing provisions of this section, the Visitor may, by order in writing, annul any proceeding of the University which is not in conformity with this Act, the Statutes or the Ordinances:

Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made, and, if any cause is shown within a reasonable time, shall consider the same.”

11. Omission of section 14 in Act XL of 1920.—Section 14 of the principal Act shall be omitted.

**12. Substitution of new section for section 15 in Act XL of 1920.**—For section 15 of the principal Act, the following section shall be substituted, namely:—

“15. *Chief Rector and Rectors.*—(1) The Governor of the State of Uttar Pradesh shall be the Chief Rector of the University.

(2) Such persons as may be appointed in this behalf in accordance with the Statutes shall be the Rectors of the University.”

**13. Amendment of section 16, Act XL of 1920.**—In section 16 of the principal Act, the word “and” at the end of item (3) shall be omitted, and after the said item (3) the following shall be inserted, namely:—

“(3A) The Pro-Vice-Chancellor, if any;

(3B) The Treasurer;

(3C) The Registrar;

(3D) The Deans of the Faculties; and”.

**14. Amendment of section 19, Act XL of 1920.**—For sub-section (1) of section 19 of the principal Act, the following sub-section shall be substituted, namely:—

“(1) The successors to the Vice-Chancellor holding office at the commencement of the Aligarh Muslim University (Amendment) Act, 1951, shall be appointed in the manner provided in the Statutes.”

**15. Amendment of section 21, Act XL of 1920.**—In section 21 of the principal Act,—

(a) for the words “the Pro-Chancellor and the Vice-Chancellor” the words “and the Pro-Chancellor” shall be substituted;

(b) the words “and the Ordinances” shall be omitted.

**16. Amendment of section 22, Act XL of 1920.**—In section 22 of the principal Act, the word “and” at the end of item (3) shall be omitted and after the said item (3) the following shall be inserted, namely:—

“(3A) The Finance Committee;

(3B) The Faculties; and”.

**17. Amendment of section 23, Act XL of 1920.**—In section 23 of the principal Act,—

(a) in sub-section (1),—

(i) for the words “and the Vice-Chancellor” the words and brackets “the Vice-Chancellor and the Pro-Vice-Chancellor (if any)” shall be substituted;

(ii) the proviso shall be omitted;

(b) in sub-section (2) the words “and direct that necessary action be taken by the Executive or Academic Council, as the case may be, on any recommendations of the Lord Rector” shall be omitted.

**18. Amendment of section 26, Act XL of 1920.**—In section 26 of the principal Act, after the word “duties” the words “of the Finance Committee and the Faculties and” shall be inserted.

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19. Substitution of new section for section 27 in Act XL of 1920.—For section 28 of the principal Act, the following sub-sections shall be substituted, namely:—

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

(a) the constitution, powers and duties of the authorities of the University;

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

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

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

(e) the conferment of honorary degrees;

(f) the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes;

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

(h) the establishment and abolition of Faculties, Departments, Halls, Colleges and other institutions;

(i) the conditions under which Colleges and institutions may be admitted to privileges of the University and for the withdrawal of such privileges;

(j) the establishment of High Schools and other institutions in accordance with the provisions of section 12; and

(k) all other matters which by this Act are to be or may be provided by the Statutes.”

20. Amendment of section 28, Act XL of 1920.—For sub-section (2) of section 28 of the principal Act, the following sub-sections shall be substituted, namely:—

“(2) The Court may, from time to time, make new or additional Statutes or may amend or repeal the Statutes in the manner hereinafter in this section provided.

(3) The Executive Council may propose to the Court the draft of any Statute to be passed by the Court, and such draft shall be considered by the Court at its next meeting.

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

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

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

(6) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the previous approval of the Visitor who may sanction, disallow, or remit it for further consideration."

**21. Substitution of new section for sections 29 and 30 in Act XL of 1920.**—For sections 29 and 30 of the principal Act, the following section shall be substituted, namely:—

"29. *Power to make Ordinances.*—(1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

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

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

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

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

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

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

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

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

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

(j) the giving of religious instruction;

(k) the emoluments and the terms and conditions of service of teachers of the University;

(l) the maintenance of High Schools and other institutions in accordance with the provisions of section 12;

(m) the supervision and inspection of Colleges and other institutions admitted to the privileges of the University under section 12A; and

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

(2) The Ordinances in force immediately before the commencement of the Aligarh Muslim University (Amendment) Act, 1951, may be amended, repealed or added to at any time by the Executive Council provided that—

(i) no Ordinance shall be made affecting the conditions of residence or discipline of students except after consultation with the Academic Council;

(ii) no Ordinance shall be made—

(a) affecting the admission or enrolment of students or prescribing examinations to be recognised as equivalent to the University examinations, or

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

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

(3) The Executive Council shall not have power to amend any draft proposed by the Academic Council under the provisions of subsection (2) but may reject the proposal or return the draft to the Academic Council for reconsideration, either in whole or in part, together with any amendments which the Executive Council may suggest.

(4) Where the Executive Council has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may appeal to the Central Government and the Central Government may, by order, direct that the proposed Ordinance shall be laid before the next meeting of the Court for its approval and that pending such approval it shall have effect from such date as may be specified in the order:

Provided that if the Ordinance is not approved by the Court at such meeting, it shall cease to have effect.

(5) All Ordinances made by the Executive Council shall be submitted, as soon as may be, to the Visitor and the Court, and shall be considered by the Court at its next meeting and the Court shall have power, by a resolution passed by a majority of not less than two-thirds of the members voting, to cancel any Ordinance made by the Executive Council, and such Ordinance shall, from the date of such resolution, cease to have effect.

(6) The Visitor may, by order, direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his powers of disallowance, and any order of suspension under this sub-section shall cease to have effect on the expiration of one month from the date of such order or on the expiration of fifteen days from the date of consideration of the Ordinance by the Court, whichever period expires later.

(7) The Visitor may, at any time after an Ordinance has been considered by the Court, signify to the Executive Council his disallowance of such Ordinance, and from the date of receipt by the Executive Council of intimation of such disallowance, such Ordinance shall cease to have effect."

**22. Amendment of section 31, Act XL of 1920.**—In section 31 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

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

Provided that any authority of the University which is dissatisfied with any such direction may appeal to the Court, whose decision in the matter shall be final."

**23. Omission of section 32 in Act XL of 1920.**—Section 32 of the principal Act shall be omitted.

**24. Amendment of section 33, Act XL of 1920.**—In section 33 of the principal Act,—

(a) in sub-section (1), for the words "the Academic Council in such manner as may be prescribed by the Ordinances" the words "the Executive Council on the recommendation of the Academic Council" shall be substituted;

(b) sub-section (2) shall be omitted;

(c) in sub-section (3), for the words "to prepare" the words "and to prepare and publish" shall be substituted and the words "and to report such results to the Executive Council for publication" shall be omitted.

**25. Amendment of section 35, Act XL of 1920.**—In section 35 of the principal Act,—

(a) in sub-section (1), for the words "auditors appointed by the Visiting Board" the words "the Comptroller and Auditor-General of India" shall be substituted;

(b) in sub-section (2), for the words "the Auditors' report shall be submitted through the Visiting Board to the Lord Rector" the words "the report of the Comptroller and Auditor-General shall be submitted to the Visitor" shall be substituted.

**26. Amendment of section 36, Act XL of 1920.**—In sub-section (2) of section 36 of the principal Act, for the words "Visiting Board" the word "Visitor" shall be substituted.



**27. Amendment of section 37, Act XL of 1920.**—In section 37 of the principal Act,—

(a) in sub-section (1), for the words “provident and pension funds” the words “pension or provident fund or provide such insurance scheme” shall be substituted;

(b) in sub-section (2), for the figures “1897” the figures “1925” shall be substituted.

**28. Amendment of section 38, Act XL of 1920.**—In section 38 of the principal Act,—

(a) sub-section (1) shall be omitted;

(b) in sub-section (2), the word “other” shall be omitted and for the words “any office of any authority” the words “any office or in any authority” shall be substituted.

**29. Omission of section 40 in Act XL of 1920.**—Section 40 of the principal Act shall be omitted.

**30. Temporary provision for amendment of Statutes.**—The Central Government may, by notification in the Official Gazette, make such adaptations and modifications in the Statutes in force immediately before the commencement of this Act as, in its opinion, may be necessary or expedient to bring the provisions of the Statutes into accord with the provisions of the principal Act as amended by this Act:

Provided that nothing in this section shall be deemed to empower the Central Government to make any adaptation or modification of any such Statute after the expiration of three months from the commencement of this Act.

**31. Transitional provisions.**—Any officer or authority of the University exercising any functions under the principal Act, immediately before the commencement of this Act, shall continue to exercise such functions until the corresponding new officer or authority is appointed, elected or constituted in accordance with the provisions of the principal Act as amended by this Act or the Statutes as adapted or modified under this Act.