

Rep. by Act... 33 of 1970/5/10

THE UNIVERSITY GRANTS COMMISSION (AMENDMENT)
ACT, 1970

No. 27 OF 1970

[3rd June, 1970.]

An Act to amend the University Grants Commission Act, 1956.

BE it enacted by Parliament in the Twenty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the University Grants Commission (Amendment) Act, 1970. Short title and commencement.

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

3 of 1956.

2. For section 5 of the University Grants Commission Act, 1956 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:— Substitution of new section for section 5.

“5. (1) The Commission shall consist of—

(i) a Chairman, and

(ii) eleven other members,

Composition of the Commission.

to be appointed by the Central Government.

(2) The Chairman shall be chosen from among persons who are not officers of the Central Government or of any State Government.

(3) The other members shall be chosen as follows:—

(a) two members from among the officers of the Central Government to represent that Government;

(b) not less than five members from among persons who are, at the time when they are chosen as members, teachers of Universities:

Provided that no person, who is the Vice-Chancellor of a University or the head of an institution which is eligible under this Act to receive grants from the Commission, shall be chosen to be a member of the Commission;

(c) the remaining number from among—

(i) persons representing industry, commerce or agriculture,

(ii) persons representing engineering, legal, medical or other learned professions, or

(iii) persons who are educationists of repute or who have obtained high academic distinctions, not being persons who are officers or teachers of Universities:

Provided that not less than one-half of the number so chosen shall be from among persons who are not officers of the Central Government or of any State Government.

(4) The Commission may elect from among its members a Vice-Chairman who shall exercise such of the powers and discharge such of the duties of the Chairman as may be prescribed.

(5) Every appointment under this section shall take effect from the date on which it is notified by the Central Government in the Official Gazette."

Amend-
ment of
section 6.

3. In section 6 of the principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) A person appointed as Chairman or other member, unless he becomes disqualified for continuing as such under the rules that may be made under this Act, shall—

(a) in the case of Chairman, hold office for a term of five years; and

(b) in the case of any other member, hold office for a term of three years:

Provided that—

(i) a person who has held office as Chairman shall be eligible for further appointment as Chairman or other member, and

(ii) a person who has held office as other member shall be eligible for further appointment as Chairman or member, so, however, that in either case, a person who has held office for two terms, in any capacity, whether as Chairman or other member, shall be ineligible for any further appointment as Chairman or other member."

(ii) to sub-section (4), the following proviso shall be added, namely:—

"Provided that out of the members appointed under clause (ii) of sub-section (1) of section 5, the Central Government may appoint such number of members, not exceeding three, as it may think fit, as whole-time members."

Amendment
of section
12.

4. In section 12 of the principal Act,—

(i) in clause (c), for the words "necessary for the development of such Universities", the words "necessary or appropriate for the

development of such Universities or for the maintenance, or development, or both, of any specified activities of such Universities" shall be substituted;

(ii) after the proviso to clause (c), the following further proviso shall be added, namely:—

27 of 1970.

"Provided further that the Commission shall not give any grant to any University which is established after the commencement of the University Grants Commission (Amendment) Act, 1970, without the previous approval of the Commission and of the Central Government.";

(iii) after clause (c), the following clause shall be inserted, namely:—

"(cc) allocate and disburse out of the Fund of the Commission, such grants to institutions deemed to be Universities in pursuance of a declaration made by the Central Government under section 3, as it may deem necessary, for one or more of the following purposes, namely:—

(i) for maintenance in special cases,

(ii) for development,

(iii) for any other general or specified purpose;"

5. After section 26 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 27.

"27. (1) The Commission may, by regulations made under this Act, delegate to its Chairman, or any other whole-time member or officer, its power of general superintendence and direction over the business transacted by, or in, the Commission, including the powers with regard to the expenditure incurred in connection with the maintenance of the office and internal administration of the Commission.

Power to delegate.

(2) No regulation shall be made under this section except with the previous approval of the Central Government."

6. Every member of the Commission holding office as such immediately before the commencement of this Act, shall continue to hold such office after such commencement until the reconstitution of the Commission in accordance with the provisions of the principal Act, as amended by this Act:

Transitional provisions.

Provided that the person holding, immediately before the commencement of this Act, the office of the Chairman, shall continue to hold that office by the same tenure and upon the same terms and conditions as he held it immediately before such commencement.