

THE ALIGARH MUSLIM UNIVERSITY (AMENDMENT)  
ACT, 1981

No. 62 OF 1981

[31st December, 1981.]

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

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

1. (1) This Act may be called the Aligarh Muslim University (Amendment) Act, 1981.

Short  
title  
and  
commen-  
cement.

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

40 of 1920.

2. In the Aligarh Muslim University Act, 1920 (hereinafter referred to as the principal Act), in the long title and in the preamble, the words "establish and" shall be omitted.

Amend-  
ment of  
long title  
and pre-  
amble.

3. In section 2 of the principal Act,—

Amend-  
ment of  
section 2.

(i) after clause (h), the following clause shall be inserted, namely:—

'(hh) "non-teaching staff" means the employees of the University other than the teachers;'

(ii) clause (j) shall be omitted;

(iii) for clause (l), the following clause shall be substituted, namely:—

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

10th February 1982, vide Notification No. S.O. 69 (E), dated 9-2-1982,  
Gazette of India, Extraordinary, Pt. II, Sec. 3 (ii), page 114.

Amend-  
ment of  
section 5.

4. In section 5 of the principal Act,—

(i) in clause (2), after sub-clause (b), the following sub-clause shall be inserted, namely:—

“(c) to promote especially the educational and cultural advancement of the Muslims of India;”;

(ii) in clause (7), the words “and determine their conditions of service in accordance with the Statutes” shall be added at the end;

(iii) for clause (9), the following clause shall be substituted, namely:—

“(9) to institute and maintain Halls for the students of the University;”;

(iv) in clause (11B), the words “and determine their conditions of service in accordance with the Statutes” shall be added at the end.

Substitu-  
tion of  
new sec-  
tion for  
section 8.

5. For section 8 of the principal Act, the following section shall be substituted, namely:—

Univer-  
sity open  
to all  
persons.

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

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

Amend-  
ment of  
section 16.

6. In section 16 of the principal Act,—

(i) after clause (3A), the following clause shall be inserted, namely:—

“(3B) The Honorary Treasurer;”;

(ii) existing clauses (3B), (3C) and (3D) shall be renumbered as clauses (3C), (3D) and (3E) thereof respectively.

Amend-  
ment of  
section 17.

7. In section 17 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Chancellor of the University shall be elected by the Court in such manner and for such term as may be prescribed by the Statutes.”.

Amend-  
ment of  
section 18.

8. In section 18 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The Pro-Chancellor shall be elected by the Court in such manner and for such term as may be prescribed by the Statutes.”.

9. Sections 20A and 20B of the principal Act shall be renumbered as sections 20B and 20C respectively, and before section 20B as so renumbered, the following section shall be inserted, namely:—

Insertion of new section 20A.

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

The Honorary Treasurer.

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

10. In section 21 of the principal Act, after the words “the Pro-Vice-Chancellor,” the words “the Honorary Treasurer,” shall be inserted.

Amendment of section 21.

11. In section 22 of the principal Act,—

Amendment of section 22.

(i) after clause (3), the following clause shall be inserted, namely:—

“(3A) The Finance Committee;”

(ii) in clause (3B), the word “and” shall be inserted at the end;

(iii) clause (3C) shall be omitted.

12. For section 23 of the principal Act, the following section shall be substituted, namely:—

Substitution of new section for section 23.

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

The Court.

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

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

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

(b) to consider Ordinances;

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

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

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

Amendment of section 26.

13. In section 26 of the principal Act, for the words “and functions of the Faculties and of the Students’ Council”, the words “and functions of the Finance Committee and of the Faculties” shall be substituted.

Insertion of new section 26A.

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

Disqualifications for membership.

“26A. A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University if he is not a citizen of India.”.

Amendment of section 27.

15. In section 27 of the principal Act,—

(i) in clause (a), the words “, the Finance Committee” shall be omitted;

(ii) for clause (c), the following clause shall be substituted, namely:—

“(c) the manner of election or appointment, as the case may be, of the Chancellor, the Pro-Chancellor, the Vice-Chancellor and other officers of the University;”.

Substitution of new section for section 28.

16. For section 28 of the principal Act, the following section shall be substituted, namely:—

Statutes.

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

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

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

Provided that the Executive Council shall not propose the draft of any Statute or of any amendment of a Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion

in writing upon the proposal and any opinion so expressed shall be considered by the Court.

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

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

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

17. In sub-section (2) of section 29 of the principal Act, clause (ii) shall be omitted.

Amendment of section 29.

18. In sub-section (3) of section 31 of the principal Act, after the words "this section", the words "other than any Regulation made by the Court," shall be inserted.

Amendment of section 31.

19. In section 34 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

Amendment of section 34.

"(3) A copy of the annual report as submitted to the Visitor shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament."

20. For section 35 of the principal Act, the following section shall be substituted, namely:—

Substitution of new section for section 35. Annual accounts.

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

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

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

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

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

Amend-  
ment of  
Statutes.

21. Notwithstanding anything contained in the principal Act, the Statutes of the University shall be amended as follows:—

(i) throughout the Statutes, for the words "Head of Department", wherever they occur, the words "Chairman of Department" shall be substituted, and such consequential amendments as the rules of grammar may require shall also be made;

(ii) for Statutes 1 and 1A, the following Statutes shall be substituted, namely:—

The  
Chancel-  
lor.

"1. (1) The Chancellor shall be elected by the Court by a simple majority.

(2) The Chancellor shall hold office for a term of three years and shall be eligible for re-election.

(3) The Chancellor shall, if present, preside over the meetings of the Court.

(4) Every proposal for the conferment of an honorary degree shall be subject to confirmation by the Chancellor.

The Pro-  
Chancel-  
lor.

1A. (1) The Pro-Chancellor shall be elected by the Court by a simple majority.

(2) The Pro-Chancellor shall hold office for a term of three years and shall be eligible for re-election.

(3) Any casual vacancy in the office of the Pro-Chancellor shall be filled by the Chancellor on the recommendation of the Executive Council and the person so appointed shall hold office until the next annual meeting of the Court.

(4) The Pro-Chancellor shall, in the absence of the Chancellor, perform the functions of the Chancellor."

(iii) in Statute 2, for clauses (1) and (2), the following clause shall be substituted, namely:—

"(1) The Vice-Chancellor shall be appointed by the Visitor from a panel of at least three persons recommended by the Court from a panel of five persons recommended by the Executive Council:

Provided that if the Visitor does not approve of any of the persons recommended by the Court, he may call for fresh recommendations."

(iv) after Statute 4, the following Statute shall be inserted, namely:—

“4A. (1) The Honorary Treasurer shall be elected by the Court by a simple majority.

(2) The Honorary Treasurer shall hold office for a term of three years and shall be eligible for re-election for another term.

(3) The Honorary Treasurer shall hold office on such terms and conditions as may be prescribed by the Ordinances.

(4) The Honorary Treasurer shall be a member of the Finance Committee and shall exercise general supervision over the funds of the University.”;

(v) in Statute 6, for clause (4), the following clause shall be substituted, namely:—

“(4) The Finance Officer shall advise the University as regards its financial policy and perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by these Statutes or the Ordinances:

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding ten thousand rupees without the previous approval of the Executive Council.”;

(vi) Statute 9 shall be omitted;

(vii) for Statute 14, the following Statute shall be substituted, namely:—

“14. (1) The Court shall consist of the following members, namely:—

*Ex-officio members*

(i) Chancellor;

(ii) Pro-Chancellor;

(iii) Vice-Chancellor;

(iv) Pro-Vice-Chancellor;

(v) Honorary Treasurer;

(vi) All *Ex-Vice-Chancellors*;

(vii) All Deans of Faculties;

(viii) Dean of Students' Welfare;

(ix) Librarian;

(x) Registrar;

(xi) Five Provosts by rotation according to seniority;

(xii) Proctor;

*Representatives of the Departments and Colleges*

(xiii) Twenty Chairmen of Departments, by rotation according to seniority;

(xiv) Principals of Colleges;

*Representatives of teachers other than Chairmen of Departments and Principals of Colleges*

(xv) Two Professors, who are not Chairmen of Departments, to be elected from amongst themselves;

Honorary  
Treasurer

Court.

(xvi) Three Readers to be elected from amongst themselves;

(xvii) Five Lecturers to be elected from amongst themselves;

*Representatives of Schools maintained by the University*

(xviii) Two Principals of Schools maintained by the University by rotation according to seniority;

*Representatives of non-teaching staff*

(xix) Five representatives of non-teaching staff, to be elected from amongst themselves;

*Representatives of ex-students*

(xx) Twenty-five representatives of ex-students to be elected by the Alumni (Old Boys) Association;

*Representatives of donors*

(xxi) Ten representatives of donors who have donated at least a sum of ten thousand rupees or transferred property worth at least ten thousand rupees to the University, to be elected from amongst themselves;

*Representatives of learned professions, industry and commerce*

(xxii) Ten persons representing the learned professions, industry and commerce, to be elected by the Court;

*Representatives of the All-India Muslim Education Conference*

(xxiii) Five representatives of the All-India Muslim Education Conference;

*Representatives of Parliament*

(xxiv) Ten members of Parliament, six to be elected by the House of the People (Lok Sabha) from amongst its members and four to be elected by the Council of States (Rajya Sabha) from amongst its members;

*Representatives of Muslim culture and learning*

(xxv) Fifteen persons representing Muslim culture and learning to be elected by the Court, of whom ten shall be persons residing outside the State of Uttar Pradesh;

(xxvi) Six persons representing Muslim Colleges of Oriental Learning in India, to be elected by the Court;

(xxvii) Four persons from amongst the Chairmen (including Presidents) of the Wakf Boards constituted under the Wakf Act, 1954 (29 of 1954), or under any other law in force in a State, to be elected by the Court;

(xxviii) Two persons representing Urdu Language and literature, to be elected by the Court;



(xxix) Five persons representing Muslim Educational and Cultural Societies situated outside the State of Uttar Pradesh, to be elected by the Court;

*Representatives of students*

(xxx) (a) President, Vice-President, Secretary and one nominee of the Executive Council of the Students' Union *ex-officio*;

(b) Eleven students to be elected by a simple majority by students of the various faculties classified into groups in the manner prescribed by the Ordinances;

*Nominated persons*

(xxxi) Five persons to be nominated by the Visitor;

(xxxii) One person to be nominated by the Chief Rector;

(xxxiii) One person to be nominated by the Chancellor:

Provided that in making nominations under items (xxxi) to (xxxiii), due regard shall be had to the representation of the different areas of the country in view of the all-India character of the University:

Provided further that no employee of the University shall be eligible to be a member under items (xx) to (xxix) or under items (xxxi) to (xxxiii).

(2) All the members of the Court, other than *ex-officio* members and members representing students, shall hold office for a term of three years.

(3) An *ex-officio* member shall cease to be a member of the Court as soon as he vacates the office by virtue of which he is such a member.

(4) Members representing students shall hold office for a period of one year or till such time as they continue to be students, whichever is earlier.”;

(viii) in Statute 15—

(a) for clause (3), the following clause shall be substituted, namely:—

“(3) One-third of the members of the Court shall form a quorum for a meeting of the Court.”;

(b) in the proviso to clause (4), for the words “thirty-five members”, the words “one-third of the members” shall be substituted;

(ix) for Statute 16, the following Statute shall be substituted, namely:—

Executive Council.

"16. (1) The Executive Council shall consist of the following members, namely:—

(i) Vice-Chancellor;

(ii) Pro-Vice-Chancellor;

(iii) Honorary Treasurer;

(iv) Five Deans of Faculties, by rotation according to seniority;

(v) Two Principals of Colleges, other than the Principal of the Women's College, by rotation according to seniority;

(vi) Principal, Women's College;

(vii) One Provost, by rotation according to seniority;

(viii) Proctor;

(ix) Six members of the Court, none of whom shall be an employee of the University, to be elected from amongst themselves;

(x) Two representatives of Professors and Readers to be elected from amongst themselves;

(xi) Two representatives of Lecturers to be elected from amongst themselves;

(xii) Three persons to be nominated by the Visitor;

(xiii) One person to be nominated by the Chief Rector:

Provided that no employee of the University shall be eligible for nomination under items (xii) and (xiii).

(2) All the members of the Executive Council, other than *ex-officio* members, shall hold office for a term of three years.

(3) Fifteen members of the Executive Council shall form a quorum for a meeting of the Executive Council."

(x) in Statute 18—

(a) in clause (1)—

(1) in item (iv), for the word "Heads", the word "Chairmen" shall be substituted;

(2) item (vii) shall be omitted;

(3) after item (xii), the following items shall be inserted, namely:—

"(xiii) The President, Students' Union;

(xiv) Two post-graduate students, one research student and one under-graduate student, to be elected by the students from amongst themselves:

Provided that no student-member of the Academic Council shall participate in the discussions in respect of matters relating to examinations, Selection Committees, appointment and conditions of service of the teaching staff.":

(b) in clause (2), after the words "*ex-officio* members", the words "and student-members" shall be inserted;

(c) after clause (2), the following clause shall be inserted, namely:—

"(2A) The President, Students' Union shall hold office for so long as he continues to hold the office of the President, Students' Union, and every other student-member shall hold office for a period of one year:

Provided that a student-member shall cease to hold office upon his ceasing to be a student of the University.":

(xi) Statutes 24 and 25 shall be omitted.

22. (1) The Court and the Executive Council of the Aligarh Muslim University shall, as soon as may be, after the commencement of this Act, be constituted in accordance with the provisions of the principal Act and of the Statutes, as amended by this Act, and until the Court or the Executive Council is so constituted, the Court or the Executive Council functioning immediately before such commencement, shall continue to exercise all the powers and perform all the functions under the principal Act, as so amended. Transitional provisions.

(2) The Chancellor and the Pro-Chancellor shall, as soon as may be, after the commencement of this Act, be elected in accordance with the provisions of the principal Act and of the Statutes, as amended by this Act, and the person holding any such office immediately before such commencement, shall continue to hold that office until his successor enters upon his office.

(3) The Vice-Chancellor and the Pro-Vice-Chancellor and the Heads of Departments of the Aligarh Muslim University holding office immediately before the commencement of this Act, shall, on and from such commencement, hold their respective offices by the same tenure and upon the same terms and conditions as they held it immediately before such commencement.

23. Anything done, any action taken or any degree or other academic distinction conferred by the Aligarh Muslim University before the commencement of this Act shall, notwithstanding any change made by this Act in the constitution of the Court or the Executive Council, be valid as if such thing was done, action was taken, or degree or academic distinction was conferred under the provisions of the principal Act, as amended by this Act. Saving.

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