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THE DELHI UNIVERSITY ACT, 1922

ACT NO. 8 OF 1922

[5th March, 1922.]

An Act to establish and incorporate a ¹[teaching and affiliating University] at Delhi.

WHEREAS it is expedient to establish and incorporate a ¹[teaching and affiliating University] at Delhi; It is hereby enacted as follows: —

1. Short title and commencement.— (1) This Act may be called the Delhi University Act, 1922.

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

2. Definitions.— In this Act and in the Statutes, unless there is anything repugnant in the subject or context, —

³[(a) “College” means an institution maintained or admitted to its privileges by the University, and includes an Affiliated College and a Constituent College;

Explanation I—“Affiliated College” means an institution recognized by the University in accordance with the provisions of this Act and the Statutes in which instruction is provided in accordance with the provisions of the Statutes and Ordinances up to the Bachelor's degree but exclusive of Honours and post-graduate degrees;

Explanation II—“Constituent College” means an institution recognized as such by the Executive Council in accordance with the provisions of this Act and the Statutes;

(b) “Hall” means a unit of residence for students of the University provided, maintained or recognized by it.]

(c) “Patron of the University” means a person who has made a donation of not less than one lakh of rupees to the funds of the University, and has been declared by the Chancellor to be a patron of the University;

(d) “Principal” means the head of a College ⁴[and includes, when there is no Principal, the person for the time being duly appointed to act as principal, and, in the absence of the principal or the acting principal, a Vice-Principal duly appointed as such];

⁵* * * * *

(f) “Statutes”, “Ordinances” and “Regulations” means, respectively, the Statutes, Ordinances and Regulations of the University made under this Act;

(g) “teachers” includes Professors, Readers, Lecturers and other persons imparting instruction in the University or in any College or Hall;

⁶[(h) “teachers of the University” means persons appointed or recognized by the University for the purpose of imparting instruction in the University or in any College;]

1. Subs. by Act 5 of 1952, s. 2, for “unitary teaching and residential University”.

2. 1st May, 1922, *see* Gen. R. & O., Vol. V, p. 49; Gazette of India, 1922, Pt. I, p. 384.

3. Subs. by Act 5 of 1952, s. 3, for clauses (a) and (b).

4. Added by Act 24 of 1943, s. 2.

5. Clause (e) omitted by Act 5 of 1952, s. 3.

6. Subs. by s. 3, *ibid.*, for clause (h).

(i) “University” means the University of Delhi; and

(j) “Warden” means the head of a Hall.

THE UNIVERSITY

3. The University. — (1) The first Chancellor and the first Vice-Chancellor of the University and the first members of the Court, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of “the University of Delhi”.

(2) The University shall have perpetual succession and a common seal, and shall sue and be sued by the said name.

4. 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 think fit, and to make provision for research and for the advancement and dissemination of knowledge.

¹[(2) to hold examinations and to grant to, and confer degrees and other academic distinctions on, persons who—

(a) have pursued a course of study in the University or in any College, or

(b) are non-collegiate women students residing within the territorial jurisdiction of the University, or

(c) are teachers in educational institutions under conditions laid down in the Statutes and Ordinances and have passed the examinations of the University under like conditions,]²[or]

²[(d) have pursued a course of study by correspondence, whether residing within the territorial jurisdiction of the University or not,]³[or]

³[(e) have been registered by the University, subject to such conditions as may be laid down in the Statutes and Ordinances, as external candidates, being persons residing within the territorial limits to which the powers of the University extend,].

(3) to confer honorary degrees or other distinctions on approved persons in the manner laid down in the Statutes,

(4) to grant such diplomas to, and to provide such lectures and instruction for, persons not being members of the University, as the University may determine,

(5) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine,

(6) to institute Professorships, Readerships, Lecturerships and any other teaching posts required by the University,

(7) to appoint or recognise persons as Professors, Readers or Lecturers, or otherwise as teachers of the University,

(8) to institute and award Fellowships, Scholarships, Exhibitions and Prizes⁴***

⁵[(9) to maintain Colleges and Halls, to admit to its privileges Colleges not maintained by the University and to withdraw all or any of those privileges, and to recognize Halls not maintained by the University and to withdraw any such recognition,]

1. Subs. by Act 5 of 1952, s. 4, for clause (2).

2. Ins. by Act 61 of 1961, s. 2 (w.e.f. 1-2-1962).

3. Ins. by Act 35 of 1970, s. 2 (w.e.f. 20-6-1970).

4. The words “In accordance with the Statutes and the Regulations” omitted by Act 5 of 1952, s. 4.

5. Subs. by s. 4, *ibid.*, for clause (9).

¹[(9A) to declare, with the consent of the colleges concerned, in the manner specified by the Academic Council, colleges conducting courses of study in the Faculties of Medicine, Technology, Music or Fine Arts, as autonomous colleges:

Provided that the extent of the autonomy which each such college may have, and the matters in relation to which it may exercise such autonomy, shall be such as may be prescribed by the Statutes;

(9B) to set up one or more College Administrative Councils for two or more colleges with such composition, powers and functions as may be laid down in the Statutes,]

(10) to demand and receive payment of such fees and other charges as may be authorized by the Ordinances,

(11) to supervise and control the residence and discipline of students of the University, and to make arrangements for promoting their health and general welfare,

²[(11A) to make grants from the funds of the University for assistance to forms of extramural teaching,]

³[(12) to make special arrangements in respect of the residence, discipline and teaching of women students,]

⁴[(12A) to acquire, hold, manage and dispose of property movable or immovable, including trust or endowed property, for the purposes of the University,

(12B) with the approval Of the Central Government, to borrow, on the security of University property, money for the purposes of the University,]

⁵ [(12C) to create administrative and ministerial and other necessary posts and to make appointments thereto, and]

(13) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University as a teaching and examining body, and to cultivate and promote arts, science and other branches of learning.

5. Territorial exercise of powers.— (1) Save as otherwise provided in this Act, the powers of the University conferred by or under this Act ⁶[(other than those conferred by sub-clause (d) of clause 2 of section 4)] shall not extend ⁷[beyond the limits of the ⁸[Union territory of Delhi]], and notwithstanding anything in any other law for the time being in force, no educational institution beyond ⁹[those limits] shall be associated with or admitted to any privileges of the University.

¹⁰* * * * *

¹¹[(1A) Notwithstanding anything contained in sub-section (1), the Central Government may, if it is of opinion that it is necessary or expedient so to do in the public interest, direct, by order in writing, the University to admit to its privileges any institution situated outside India and the University shall be bound to comply with such direction.]

(2) Notwithstanding anything in any other law for the time being in force ¹²[but subject to the provisions contained in the Jawaharlal Nehru University Act, 1966 (53 of 1966)], no educational

1. Ins. by Act 48 of 1972, s. 2 (w.e.f. 22-6-1972).

2. Ins. by Act 24 of 1943, s. 3.

3. Subs. by Act 5 of 1952, s. 4, for clause (12).

4. Ins. by Act 61 of 1961, s. 2 (w.e.f. 1-2-1962).

5. Clause (12A) renumbered as clause (12C) by s. 2, *ibid.* (w.e.f. 1-2-1962).

6. Ins. by s. 3, *ibid.* (w.e.f. 1-2-1962).

7. Subs. by Act 5 of 1952, s. 5, for “beyond a radius of ten miles from the Convocation Hall of the University”.

8. Subs. by the Adaptation of Laws (No. 3) Order, 1956, for “State of Delhi”.

9. Subs. by Act 5 of 1952, s. 5, for “that limit”.

10. Proviso omitted by s. 5, *ibid.*

11. Ins. by Act 27 of 1981, s. 2 (w.e.f. 9-6-1981).

12. Ins. by Act 53 of 1966, s. 27 (w.e.f. 22-4-1969).

institution within the ¹[aforementioned limits] shall be associated in any way with or be admitted to any privileges of any other University incorporated by law in the States, and any such privileges granted by any such other University to any educational institution within ²[those limits] prior to the commencement of this Act shall be deemed to be withdrawn on the commencement of this Act:

Provided that the Central Government may, by order³ in writing, direct that the provisions of this sub-section shall not apply in the case of any institution specified in the order.

⁴[Provided further that provisions of this sub-section shall not apply in the case of any educational institution affiliated to the Indraprastha Vishwavidyalaya incorporated under the Indraprastha Vishwavidyalaya Act, 1998.]

6. University open to all classes, castes and creeds.— The University shall be open to all persons of either sex and of whatever race, ⁵[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 thereto as a teacher or student, or to hold any office therein, or to graduate thereat, or to enjoy or exercise any privilege thereof, except ⁶*** 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 ⁷[who have consented to receive it].

7. Teaching of the University.— (1) All recognized teaching in connection with the University courses shall be conducted under the control of the Academic Council by teachers of the University, and shall include lecturing, laboratory work and other teaching conducted in accordance with any syllabus prescribed by the Regulations.

⁸* * * * *

(3) The authorities responsible for organizing such teaching shall be prescribed by the Statutes.

(4) The courses and curricula shall be prescribed by the Ordinances and, subject thereto, by the Regulations.

⁹* * * * *

¹⁰[**7A. Visitor.**— (1) The President of India shall be the Visitor of the University.

(2) The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct of the University, its buildings, laboratories and equipment and of any institution maintained by the University, and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the University.

(3) 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.

(4) The Visitor may address the Vice-Chancellor with reference to the result of such inspection and inquiry, and the Vice-Chancellor shall communicate to the Executive Council the views of the Visitor with such advice as the Visitor may offer upon the action to be taken thereon.

1. Subs. by Act 5 of 1952, s. 5, for “aforementioned limit”.

2. Subs. by s. 5, *ibid.*, for “that limit”.

3. For notifications directing that the provisions of this sub-section shall not apply to certain institutions, *see* Gazette of India, 1922, Pt. I, p. 491; and, *ibid.*, 1923, Pt. I, pp. 259, 459 and 498.

4. Ins. by Act 43 of 2002, s. 5 (w.e.f. 12-8-2002).

5. Subs. by Act 5 of 1952, s. 6, for “creed or class”.

6. The words “where such test is specially prescribed by the Statutes, or,” omitted by s. 6, *ibid.*

7. Subs. by s. 6, *ibid.*, for “not unwilling to receive it by persons (whether teachers of the University or not) approved for that purpose by the Executive Council”.

8. Sub-section (2) rep. by Act 24 of 1943, s. 4.

9. Sub-section (5) omitted by Act 5 of 1952, s. 7.

10. Ins. by s. 8, *ibid.*

(5) The Executive Council shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it is proposed to take or has been taken upon the result of such inspection or inquiry.

(6) Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as he may think fit and the Executive Council shall be bound to comply with such directions.

(7) 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.

7B. Chief Rector and Rectors.— (1) The Chief Commissioner of the ¹[Union territory of Delhi] 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 Rectors of the University.]

OFFICERS OF THE UNIVERSITY

8. Officers of the University.— The following shall be the officers of the University:—

(i) the Chancellor,

(ii) the Pro-Chancellor,

(iii) the Vice-Chancellor,

²[(iv) the Pro-Vice-Chancellor, if any,]

(vi) the Treasurer,

(vii) The Registrar,

(viii) the Deans of the Faculties, and

(ix) such other persons in the service of the University as may be declared by the Statutes to be officers of the University.

9. [*The Chancellor.*]—Omitted by the Delhi University (Amendment) Act, 1952 (5 of 1952), s. 10.

10. [*The Pro-Chancellor.*]— Omitted by s. 10, *ibid.*

11. [*The Vice-Chancellor.*]— Omitted by s. 10, *ibid.*

12. [*Power and duties of the Chancellor.*]— Omitted by s. 10, *ibid.*

13. [*The Rector.*] — Omitted by s. 10, *ibid.*

14. [*The Treasurer.*] — Omitted by s. 10, *ibid.*

15. [*The Registrar.*] — Omitted by s. 10, *ibid.*

³**[16. Powers and duties of officers, etc.**— Subject to the provisions of this Act, the powers and duties of the officers of the University, the terms for which they shall hold office and the filling of casual vacancies in such offices shall be provided for by the Statutes.]

1. Subs. by the Adaptation of Laws (No. 3) Order, 1956, for "State of Delhi".

2. Subs. by Act 5 of 1952, s. 9, for item (iv).

3. Subs. by s. 11, *ibid.*, for section 16.

AUTHORITIES OF THE UNIVERSITY

17. Authorities of the University.— The following shall be the authorities of the University:—

- (i) the Court,
- (ii) the Executive Council,
- (iii) the Academic Council,
- ¹[(*iiia*) the Finance Committee,]
- (iv) the Faculties, and
- (v) such other authorities as may be declared by the Statutes to be authorities of the University.

²**18. The Court.**— The Court shall be the supreme authority of the University and shall have the power to review the acts of the Executive Council and the Academic Council (save when these authorities have acted in accordance with the powers conferred upon them under this Act, the Statutes or the Ordinances) and shall exercise all the powers of the University not otherwise, provided for by this Act or the Statutes.]

19. [*Meeting of the Court.*] Omitted by the *Delhi University (Amendment) Act, 1952* (5 of 1952), s. 14.

20. [*Powers and duties of the Court.*] Omitted by s. 14 *ibid.*

21. The Executive Council.— The Executive Council shall be the executive body of the University and its constitution and the terms of office of its members, other than *ex officio* members, shall be prescribed by the Statutes.

22. [*Powers and duties of the Executive Council.*] Omitted by the *Delhi University (Amendment) Act, 1952* (5 of 1952), s. 14.

23. The Academic Council.— The Academic Council shall be the academic body of the University, and shall, subject to the provisions of this Act, the Statutes and the Ordinances, have the control and general regulation, 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. It shall have the right to advise the Executive Council on all academic matters. The constitution of the Academic Council and the term of office of its members, other than *ex officio* members, shall be prescribed by the Statutes.

24. [*The Faculties.*] Omitted by the *Delhi University (Amendment) Act, 1952* (5 of 1952), s. 14.

³**25. Powers and duties of authorities of the University.**— Subject to the provisions of this Act, the constitution, powers and duties of the authorities of the University shall be provided for by the Statutes.]

UNIVERSITY BOARDS

26. University Boards.— The University shall include a Residence, Health and Discipline Board and such other Boards as may be prescribed by the Statutes.

27. Constitution, etc., of Boards to be Prescribed by Ordinances.— The constitution, powers and duties of the Residence, Health and Discipline Board and of all other Boards of the University shall be prescribed by the Ordinances.

1. Ins. by Act 5 of 1952, s. 12.

2. Subs. by s. 13, *ibid.*, for section 18.

3. Subs. by s. 15, *ibid.*, for section 25.

STATUTES, ORDINANCES AND REGULATIONS

¹[28. Statutes.— Subject to the provisions of this Act, Statutes may provide for all or any of the following matters, namely:—

(a) the constitution, powers and duties of the Court, the Executive Council, the Academic Council, the Finance Committee and such other bodies as may be deemed necessary to constitute from time to time;

(b) the election and continuance in office of the members of the said bodies, including the continuance in office of the first members, and the filling of vacancies of members and all other matters relative to those bodies 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 withdrawal of degrees, diplomas, certificates and other academic distinctions;

(g) the establishment and abolition of Faculties, Departments, Halls, Colleges and Institutions;

(h) the conditions under which colleges and other institutions may be admitted to the privileges of the University and the withdrawal of such privileges;

²[(hh) the extent of the autonomy which a college, declared as an autonomous college under clause (9A) of section 4, may have and the matters in relation to which such autonomy may be exercised;

(hhh) the composition, powers and functions of College Administrative Councils;]

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

(j) all other matters which by this Act are or may be provided for by the Statutes.]

29. Statutes how made.— ³[(1) On the commencement of the Delhi University (Amendment) Act, 1943 (24 of 1943), the Statutes of the University shall be those set out in the Schedule.]

⁴[(2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes:

Provided that the Executive Council shall not make, amend or repeal any 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 on the proposed changes, and any opinion so expressed shall be considered by the Executive Council:

Provided further that except with the prior concurrence of the Academic Council, the Executive Council shall not make, amend or repeal any Statute affecting all or any of the following matters, namely:—

(i) the constitution, powers and duties of the Academic Council, and the other powers which may be conferred, and duties which may be imposed, on the Academic Council;

(ii) the authorities responsible for organizing recognised teaching in connection with the University courses;

(iii) the withdrawal of Degrees, Diplomas, Certificates and other academic distinctions;

(iv) the establishment and abolition of Faculties, Departments, Halls, Colleges and Institutions;

1. Subs. by Act 5 of 1952, s. 16, for section 28.

2. Ins. by Act 48 of 1972, s. 3 (w.e.f. 22-6-1972).

3. Subs. by Act 24 of 1943, s. 9, for sub-section (1).

4. Subs. by Act 48 of 1972, s. 4, for sub-sections (2) to (6) (w.e.f. 22-6-1972).

(v) the conditions under which Colleges and other Institutions may be admitted to the privileges of the University and the withdrawal of such privileges;

(vi) the institution of Fellowships, Scholarships, Studentships, Exhibitions, Medals and Prizes;

(vii) the extent of the autonomy which a College may have and the matters in relation to which such autonomy may be exercised;

(viii) the composition, powers and functions of College Administrative Councils; and

(ix) the conditions on the fulfilment of which the teachers of Colleges and Institutions may be recognised as teachers of the University.

(3) 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 return it to the Executive Council for further consideration.]

¹[**30. Ordinances.**— 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 degrees, diplomas, certificates and other academic distinctions to be awarded by the University, 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 students at 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 study;

(j) the giving of religious instruction;

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

(l) the management of colleges and other institutions founded or maintained by the University;

(m) the supervision and inspection of colleges and other institutions admitted to privileges of the University; and

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

31. Ordinances how made.— (1) The Ordinances of the University as in force immediately before the commencement of the Delhi University (Amendment) Act, 1952 (5 of 1952), 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;

1. Subs. by Act 5 of 1952, s. 18, for sections 30 and 31.

(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.

(2) The Executive Council shall not have power to amend any draft proposed by the Academic Council under the provisions of sub-section (1) 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.

(3) 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.

(4) 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.

(5) The Visitor may, by order, direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his power 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.

(6) 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.

32. Regulations.— (1) The authorities ¹* * * of the University may make Regulations consistent with this Act, the Statutes, and the Ordinances—

(a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;

(b) providing for all matters which by this Act, the Statutes or the Ordinances are to be prescribed by Regulations; and

(c) providing for all other matters solely concerning such authorities ² [or Committees appointed by them] and not provided for by this Act, the Statutes or the Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings, and for keeping of a record of the proceedings of meetings.

(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 Regulation made under sub-section (1):

1. The words “and the Board” omitted by Act 5 of 1952, s. 19.

2. Subs. by s. 19, *ibid.*, for “and Boards”.

Provided that any authority or Board of the University which is dissatisfied with any such direction may appeal to the ¹[Court], whose decision in the matter shall be final.

²(4) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.

(5) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation 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 the Statute, Ordinance or Regulation.”

RESIDENCE

33. Residence.— Every student of the University ³[(other than a student who pursues a course of study by correspondence)] shall reside in a College or a Hall, or under such conditions as may be prescribed by ^{4***} the Ordinances.

34. Colleges.- ⁵[(1) The Colleges shall be such as may, after the commencement of the Delhi University (Amendment) Act, 1943 (24 of 1943); be recognised by the Executive Council in accordance with this Act and the Statutes, but shall include all Colleges recognised at the commencement of the said Act as Colleges of the University so long as such recognition continues.]

(2) The conditions of residence in the Colleges shall be prescribed by the Ordinances, and every College shall be subject to inspection by any member of the Residence, Health and Discipline Board authorised in this behalf by the Board and by any officer of the University authorised in this behalf by the Executive Council.

35. Halls.— (1) The Halls shall be such as may be maintained by the University or approved and recognised by the Executive Council on such general or special conditions as may be prescribed by the Ordinances.

(2) The wardens and superintending staff of the Halls shall be appointed in the manner prescribed by the ⁶[Ordinances].

(3) The conditions of residence in the Halls shall be prescribed by the Ordinances, and every Hall shall be subject to inspection by any member of the Residence, Health and Discipline Board authorised in this behalf by the Board and by any officer of the University or other person authorised in this behalf by the Executive Council.

(4) The Executive Council shall have power to suspend or withdraw the recognition of any Hall which is not conducted in accordance with the conditions prescribed by the Ordinances.

ADMISSION AND EXAMINATIONS

36. [Admission to University courses] Omitted by the Delhi University (Amendment) Act, 1952 (5 of 1952), s. 22.

37. [Examinations.] Omitted by s. 22, *ibid*.

1. Subs. by Act 5 of 1952, s. 19, for “Central Government”.

2. Ins. by Act 4 of 2005, s. 32 (w.e.f. 11-01-2005).

3. Ins. by Act 61 of 1961, s. 4 (w.e.f. 1-2-1962).

4. The words “the Statutes and” omitted by Act 5 of 1952, s. 20.

5. Subs. by Act 24 of 1943, s. 10, for sub-section (1).

6. Subs. by Act 5 of 1952, s. 21, for “Statutes”.

ANNUAL REPORT AND ACCOUNTS

38. Annual Report.—¹[(1)] The Annual report of the University shall be prepared under the direction of the Executive Council, and shall be submitted to the Court on or before such date as may be prescribed by the Statutes, and shall be considered by the Court at its annual meeting. The Court may pass resolutions thereon and communicate the same to the Executive Council.

²(2) A copy of the annual report, as prepared under sub-section (1), 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.”

³[**39. Audit of accounts.**— (1) The accounts of the University shall, once at least in every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India.

(2) The accounts, when audited, shall be published in the Gazette of India, and a copy of the accounts together with the audit report shall be submitted by the University to the Visitor.]

⁴[(3) A copy of the accounts, together with the audit report, 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.”]

SUPPLEMENTARY PROVISIONS

40. [Removal of names of registered graduates.] *Rep. by the Delhi University (Amendment) Act, 1952 (5 of 1952), s. 24.*

41. Disputes as to constitution of University authorities and bodies.— If any question arises 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.

42. Constitution of committees.— Where any authority of the University is given power by this Act or the statutes to appoint committees, such committees shall, save as otherwise provided, consist of members of the authority concerned and of such other persons (if any) as the authority in each case may think fit.

43. Filling of casual vacancies.— All 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 conveniently may be, by the person or body who appointed, elected or co-opted the member whose place has become vacant, and the 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.

44. Proceedings of University authorities and bodies not invalidated by vacancies.— No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

⁵[**45. Conditions of service of officers and teachers.**— (1) Every salaried officer and teacher of the University shall be appointed under a written contract, which shall be lodged with the University and a copy thereof shall be furnished to the officer or teacher concerned.

(2) Any dispute arising out of a contract between the University and any of its officers or teachers shall, at the request of the Officer or teacher concerned or at the instance of the University, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one

1. Section 38 renumbered as sub-section (1) thereof by Act 25 of 2008, s. 4 (w.e.f. 05-12-2008).

2. Ins. by s.4, *ibid.* (w.e.f. 05-12-2008).

3. Subs. by s. 23, *ibid.*, for section 39.

4. Ins. by Act 25 of 2008, s. 5. (w.e.f. 05-12-2008).

5. Subs. by Act 5 of 1952, s. 25, for section 45.

member nominated by the officer or teacher concerned and an umpire appointed by the Visitor, and the decision of the Tribunal shall be final.]

46. Pension and provident funds.— (1) The University shall constitute, for the benefit of its officers, teachers, clerical staff and servants, in such manner and subject to such conditions as may be prescribed by the Statutes, such pension, insurance and provident funds as it may deem fit.

(2) Where any such pension, insurance or provident fund has been so constituted,¹[or where any such pension, insurance or provident fund has been constituted by a college under rules which have been approved by the Central Government], the Central Government may declare that the provisions of the Provident Funds Act,²[1925 (19 of 1925)], shall apply to such funds, as if it were a Government Provident Fund.

³* * * * *

47. [*Removal of difficulties.*] omitted by the *Delhi University (Amendment) Act, 1943* (24 of 1943), s. 15.

48. [*Completion of courses for students at Delhi Colleges.*] omitted by s. 15, *ibid.*

THE SCHEDULE.— For the Statutes of the University see *University Calendar*.

1. Ins. by Act 24 of 1943, s. 14.

2. Subs. by Act 32 of 1940, s. 3, for “1897”.

3. The heading “TRANSITORY PROVISIONS” omitted by Act 24 of 1943, s. 15.