

Dr. B. R. Ambedkar Open University Act, 1982

11 of 1982

[25 August 1982]

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SCHEDULE 1 :- THE SCHEDULE

Dr. B. R. Ambedkar Open University Act, 1982

11 of 1982

[25 August 1982]

An Act to establish and incorporate an Open University 1[by the Name of Dr.B.R. Ambedkar Open University] in the State of Andhra Pradesh and to provide for matters connected therewith or incidental thereto. Be it enacted by the Legislature of the State of Andhra Pradesh in the Thirty-third Year of the Republic of India as follows.-- 1. Inserted by Act 27 of 1991.

CHAPTER 1 PRELIMINARY

1. Short Title, Extent And Commencement :-

(1) This Act may be called the 1[Dr.B.R. Ambedkar Open University Act, 1982].

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force on such date as the Government may, by notification in the Andhra Pradesh Gazette, appoint.

1. Inserted by Act 27 of 1991.

2. Definitions :-

In this Act, and in all statutes and regulations unless the context otherwise requires:-

(a) "academic year" means a period of twelve months commencing on the first day of July of the year or such other period of twelve months beginning on such date as the 1[Board of Management] may specify in respect of all the study centres under the control of the University or any particular centre thereof;

2((a-1). "approved institution" means an institution not being an institution maintained by the University for imparting instruction in relation to any learning process; (a-2) "authority" means an authority of the University specified in Section 14;

(a-3) "Committee of Courses" means the committee of courses in a faculty]

(b) "Co-ordinator" means the head of a study centre;

(c) "Correspondence-cum-Contact Programme Student" means student enrolled in any one of the study centres of the University recognised as such by the statutes;

3[(d) "department" means a department and includes a centre maintained by the University; (d-1) "Director" means a Director appointed under Section 11,]

(e) "Director of Higher Education" includes a Joint Director incharge of Higher Education;

(f) "employee" means any person appointed by the University, and includes teachers and other staff of the University;

(g) "Government" means the State Government of Andhra Pradesh;

3[(h) "Head of Department" means a teacher so appointed being responsible for the co-ordination of instruction, training and research in any department;

(h - 1) "institution" means an institution maintained by the University;]

(i) "Prescribed" means prescribed by the statutes or regulations;

(j) "Secretary to Government" includes a Joint Secretary to Government and a Deputy Secretary to Government;

(k) "student" means a person who is enrolled for studies in one of the study centres and pursues studies by attending the prescribed contact and correspondence programme;

(l) "study centre" means study centre within the University area where the students enroll to carry on their contact programme;

1[(m) "teacher" includes, professor, associate professor, assistant professor or any other person engaged in imparting instruction in relation to any learning process and designated as a teacher by the

regulations;

(n) "Teacher of the University" means a person so appointed by the University for imparting instruction in relation to any learning process;

(o) "University" means the 2[Dr.B.R. Ambedkar Open University] as constituted under this Act;

(p) "University area" means the area to which this Act extends;

(q) "University headquarters" means the place where the administrative offices are situated.

1. Substituted by Act 27 of 1991.

2. Clauses. (a-1), (a-2) and (a-3) inserted by A.P. Act 17 of 1985.

3. Substituted by Act 17 of 1985.

CHAPTER 2 THE UNIVERSITY

3. The University :-

(1) There shall be constituted in and for the State of Andhra Pradesh, a University 1[by the name of the Dr. B.R. Ambedkar Open University] which shall consist of a Chancellor, a Vice-Chancellor, Directors 2[Executive Council], an Academic Senate and a Planning and Monitoring Board.

(2) It shall be a body corporate having perpetual succession and common seal and shall sue and be sued by the said corporate name.

(3) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by Registrar and all processes in such suits and proceedings shall be issued to, and served on the Registrar.

(4) The headquarters of the University shall be located at such place within the State as the Government may, by notification published in the Andhra Pradesh Gazette, specify.

1. Substituted by Act 27 of 1991.

2. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21-2-1995).

4. Objects :-

The objects of the University shall be.--

1[(a) to provide educational opportunities to those students who could not take advantage of institutions of higher learning;]

(b) to realise equality of educational opportunities for higher education for a large segment of the population including those in

employment, women including house-wives and adults, who wish to upgrade their education or acquire knowledge and studies in various fields through 2[distance education;]

(c) to provide flexibility with regard to eligibility for enrolment, age of entry, choice of courses, methods of learning, conduct of examinations and operation of the programmes;

(d) complementary to the programmes of the existing Universities in the State in the field of higher learning so as to maintain the highest standards on par with the best Universities in the country;

(e) to promote integration within the State through its policies and programmes;

(f) to offer degree courses and non-degree certificate courses for the benefit of working population in various fields and for the benefit of those who wish to enrich their lives by studying subjects of cultural and aesthetic values;

(g) to make provision for research and for the advancement and dissemination of knowledge.

1. Substituted by Act 27 of 1991.

2. Substituted by Act 17 of 1985.

5. Powers And Functions Of The University :-

The University shall have the following powers and functions, namely:-

1[(a) to provide for instructions and training through distance education;

(b) to provide for instruction in such branches of learning, technology, vocations as it may deem fit, and to make provision for research and for the advancement and dissemination of knowledge in such manner as it may determine;]

(c) to hold examinations and to confer degrees, diplomas and other academic distinctions on persons who have pursued a course of study in the University and its study centres;

(d) to confer degrees and other academic distinctions on persons who have carried on research under conditions prescribed;

(e) to confer honorary degrees or others academic distinctions on approved persons under conditions prescribed;

1[(f) to create posts, with the prior sanction of the Government, for teaching, research, extension service, administration and other related purposes and to appoint persons thereto].

(g) 2[x x x x]

3[(h) to acquire, hold and transfer property, both movable and

immovable, which may have been acquired by it, for the purposes of the University and to accept on behalf of the University, endowments, bequests, donations and other transfers of property made to it and to contract and to do all other things, necessary or incidental to the purposes of University;

(i) to establish teaching, departments, faculties, laboratories, libraries, museums, workshops, audience level regional centres (study centres) and other centres of learning for development of teaching and research and educational technology and to make such arrangements for their maintenance management and administration as it may determine;]

(j) to create, equip and maintain laboratories, libraries and museums;

(k) to inspect the study centres and to take measures to ensure that proper standards of instructions are maintained in them;

1[(l) x x x x]

(m) to make special provision for the spread of higher education among educationally backward classes of citizens;

(n) to make special provision for study centres and institutions for women students;

(o) to establish research institutions in any part of the University area;

(p) to fix fees and to demand and receive such fees and other charges as may be prescribed;

(q) to institute and manage.--

(i) a Department of Publications;

(ii) a University Press;

(iii) an Employment Bureau;

(iv) an Information Bureau;

(v) Boards of University Extension;

(vi) Guidance and Counselling Centres and such other organisations created by it;

2[(r) to co-operate, collaborate or associate with any other University, authority or institution of learning in such manner and purposes as the University may determine;]

(s) generally to do shall such other acts and things whether incidental to the powers aforesaid or not, as may be necessary or desirable to further the objects of the University as to cultivate and, promote arts, fine arts, sciences, professional studies, technology and other branches of learning and to promote to the interests of its students;

(t) to supervise and control the conduct and discipline of the

students of the University and to make arrangements for promoting general welfare.

4[(u) to provide educational facilities to people who cannot leave their homes and jobs, in such manner, as it may determine;

(v) to provide such facilities to masses for their educational uplift as it may determine;

(w) to provide facilities for the training of teachers in such manner as it may determine;

(x) to provide for such instruction for persons not being students of the University as it may determine, and to grant certificates and diplomas to such persons;

(y) to make provisions for research and development of educational technology and advisory services and with those objects to enter into arrangements with other institutions or with public bodies under prescribed conditions;

(z) to provide for making of films and cassetts and other audiovisual material and enter into arrangements with All India Radio and Doordarshan and such other organisations as it may deem fit;

(z-1) to provide for the reproduction and publication of teaching material and otherworks;

(z-2) to undertake educational experiments and evolve contents, systems and methods of education for the furtherance of the objects of the University;

(z-3) to approve any institution of higher learning or studies for such purposes as the University may determine, and to withdraw such approval;

(z-4) to appoint visiting professors, emeritus professors, fellows, scholars, resident-artists, resident-writers or such other persons who may contribute to the advancement of the objects of the University;

(z-5) to approve persons working in.--

(a) any institution co-operating, collaborating or associating with the University; or

(b) any approved institution for imparting instruction or supervising research or both and to withdraw such approval;

(z-6) to appoint persons working in any other University institution or organisation as teachers or the University for a specified period:

(z-7) to establish campuses within the territorial limits of the University;

(z-8) to admit students of any other University or college to any examination of the University subject to such conditions as the University may lay down for the purpose;

(z-9) to accept funds from the Government of India, the State Government, the University Grants Commission and also borrow money from a bank or a corporation, for the purposes of the University:

Provided that where the University intends to borrow money from a bank or a corporation or both, exceeding an amount of rupees fifty thousand at a time or in the aggregate, it shall obtain the prior written approval of the Government therefor;

1. Substituted by A.P. Act 17 of 1985.
2. Omitted by A.P. Act 17 of 1985.
3. Substituted by *ibid*.
4. Clauses (u) to (z-9) added by *ibid*.

6. University Open To All Persons :-

No person shall be excluded from holding any office in the University or from membership of any of the authorities of the University or from admission to any degree, diploma or other distinction or course of study, on grounds only of religion, race, caste, sex, place of birth or any of them and it shall not 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 qualify for any degree, diploma or other distinction or to enjoy or exercise any of the privileges of the University:

Provided that nothing in this section shall be deemed to prevent the University.--

- (i) from maintaining any centre or institution, intended exclusively for women, either for education, instruction or residence; and
- (ii) from taking special provisions in any study centre for admission of women, weaker sections of the people and, in particular the scheduled castes, scheduled tribes and back ward classes.

7. Inspection And Inquiry :-

(1) The Government shall have the right to cause an inspection to be made by a committee of not less than two persons, of the University, its buildings, laboratories, libraries, museums, workshops and equipment, and of any study centre maintained by the University and also to cause an inquiry to be made into the teaching and other work conducted or done by the University, or in respect of any matter connected with the University. The Government shall, in every case, give notice to the University of

their intention to cause such inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(2) The Government shall forward to the Vice-Chancellor a copy of the inspection report for obtaining the views of the Board of Management and on receipt of such views, the Government may tender such advice as they consider necessary and fix a time-limit for action to be taken by the University.

(3) The 1[Executive Council] shall, within such time as the Government may fix, report to them through the Vice-Chancellor the action which has been taken or is proposed to be taken on the advice tendered by them.

(4) The Government may, where action has not been taken by the University to their satisfaction, within the time fixed and after considering any explanation furnished or representation made by 1[Executive Council] issue such directions as they may think fit and the University shall comply with such directions.

1. Substituted by A.P. Act 13 of 1995 (w.e.f. 21-2-1995).

CHAPTER 3 OFFICERS OF THE UNIVERSITY

8. Officers Of The University :-

The following shall be the officers of the University:-

(1) The Chancellor;

(2) The Vice-Chancellor;

1[(2-A) The Rector

(3) The Directors;

(4) The Registrar;

(5) The Finance Officer; and

(6) Such other persons as may be declared by the statutes to be the officers of the University.

1. Item (2-A) Inserted by A.P. Act 13 of 1991, (w.e.f. 19-2-1991).

9. The Chancellor :-

(1) The Governor of Andhra Pradesh shall be the Chancellor of the University.

(2) The Chancellor shall, by virtue of his office, be the head of the University and shall, when present, preside at convocations of the University. He shall exercise such other powers and perform such other duties as may be conferred on or vested in him by or under the provisions of this Act.

(3) The Chancellor may, by order in writing, annul any proceeding

of the University which is not in conformity with this Act or the statutes;

Provided that before making any such order, he shall give a notice calling upon the University to show-cause why such an order should not be made and if any cause is shown within the time specified therefor in the said notice, shall consider the same.

10. The Vice-Chancellor :-

1[(1) The Government shall constitute a Search Committee consisting of:-

- (i) a nominee of the 2(Executive Council];
- (ii) a nominee of the University Grants Commission; and
- (iii) a nominee of the State Government.

The Search Committee shall submit a panel of three persons to the Government in alphabetical order from among whom the State Government shall recommend one person to the Chancellor for appointment as Vice-Chancellor and the Chancellor shall appoint such person as Vice-Chancellor:

Provided that it shall be competent for the Government to call for a fresh panel, if they consider necessary and the Search Committee shall submit a fresh panel to the Government.

(1 -A) The Vice-Chancellor shall not be removed from his office except by an order of the Chancellor passed on the ground or wilful omission or refusal to carry out the provisions of this Act, or abuse of the powers vested in him and after due enquiry ordered by the Government, by the Lokayukta or by such person who is or has been a Judge of a High Court or the Supreme Court as may be appointed by the Chancellor in which the Vice-Chancellor shall have an opportunity of making his representation against such removal:

Provided that where the enquiry is conducted by a person who is or has been a Judge of High Court or the Supreme Court, the report of such an enquiry shall be forwarded to the Government and the Chancellor shall act in accordance with the advice tendered by the Government on a consideration of the report while exercising his powers under this sub-section:

Provided further that where Lokayukta enquires into an allegation against the Vice-Chancellor under the Andhra Pradesh Lokayukta and Upa-Lokayukta Act, 1983, then, notwithstanding anything contained in Section 12 of that Act, the Lokayukta shall submit a report to the Government and the Chancellor shall act in accordance with the advice tendered by the Government on a

consideration of the report while exercising his powers under this sub-section].

(2) The Vice-Chancellor shall be the academic head and the principal executive officer of the University and shall exercise general supervision and control over its affairs and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellor may, if he is of 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 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 Subsection shall have the right to appeal against such action to the Board of Management within three months from the date on which decision on such action is communicated to him and thereupon the Board of Management may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the statutes or regulations.

1. Substituted by A.P. Act 13 of 1995 (w.e.f. 21-2-1995).

2. Sub-Section (1) Substituted by *ibid* (w.e.f. 19-2-1991).

10A. The Rector :-

1[There shall be a Rector who shall be appointed by the Board of Management on the recommendation of the Vice-Chancellor in such manner and on such terms and conditions as may be prescribed by the Statutes from among the senior professors. He shall exercise such powers and perform such duties as may be prescribed by the Statutes.]

1. Section 10-A Inserted by A.P. Act 13 of 1991 (w.e.f. 19-2-1991).

11. The Directors :-

1[(1) The Directors shall be appointed by the 2[Executive Council] on the recommendation of the Vice-Chancellor and shall exercise such powers and discharge such duties as may be prescribed by the Statutes.

(2) Where the 2[Executive Council] does not accept the recommendation of the Vice-Chancellor, the matter shall be referred to the Chancellor whose decision thereon shall be final and binding on the 2[Executive Council] and the Vice-Chancellor.

1. Substituted by Act 17 of 1985.

2. Substituted by Act 13 of 1995 (w.e.f. 21-2-1995).

12. The Registrar :-

2[The Registrar shall be a whole time paid officer of the University appointed by the 1[Executive Council] for a term of three years or less and on such terms and conditions as may be prescribed by the Statutes provided that he shall not continue in that office for more than six years.

(2) The Registrar shall act as the Secretary of the 1[Executive Council] and Academic Senate. He shall exercise such powers and perform such duties as may be prescribed.

(3) The 1[Executive Council] may transfer the Registrar to a suitable position even before the completion of the term provided he is shown a position in the University with the same emoluments;]

1. Substituted by Act 13 of 1995 (w.e.f. 21-2-1995).

2. Section 12 and 13 Substituted by Act 13 of 1991 (w.e.f. 19-2-1991).

13. The Finance Officer :-

1[(1)The Finance Officer shall be a whole time officer of the University appointed by the University from out of a panel of three officers to be obtained from the Government in the Education Department on such terms and conditions as may be prescribed by the rules made by the Government in this behalf. He shall be the employee of the Government and the salary, allowances, pension and other remuneration shall be paid to him in the first instance out of the Consolidated Fund of the State and later recovered from the University.

(2) He shall maintain the accounts of the University and also advise the University on all matters relating to income and expenditure.

(3) He shall be present at the meeting of the Finance Committee and participate in the discussions but shall not be entitled to vote].

1. Section 12 and 13 Substituted by Act 13 of 1991 (w.e.f. 19-2-1991).

CHAPTER 4 AUTHORITIES OF THE UNIVERSITY

14. Authorities Of The University :-

The following shall be the authorities of the University namely:-

- (i) The 1[Executive Council].
2[(i-a) the Academic Senate].
 - (ii) The Planning and Monitoring Board;
 - (iii) The Faculties;
 - (iv) The Finance Committee;
 - (v) The Board of Studies;
 - (vi) Such other bodies, as the statutes may declare to be authorities of the University.
1. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21 -2-1995).
 2. Substituted by Act 17 of 1985.

15. The Executive Council :-

The 1[Executive Council]

- (1) The 1[Executive Council] shall be the principal executive body of the University.
 - (2) The constitution of the 1[Executive Council] and its powers and functions shall be prescribed by the statutes.
1. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21 -2-1995).

15A. Academic Senate :-

- 1[The Academic Senate shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and the Regulations, have the control and generally regulate academic matters and be responsible for the maintenance of the standards of learning, education, instruction, evaluation and examination within the University, and shall exercise such other powers and perform such other duties as may be entrusted to it by the Statutes. The constitution of the Academic Senate and the term of office of its members other than ex-officio members shall be such as may be prescribed by the Statutes].
1. Inserted by A.P. Act 17 of 1985.

16. Planning And Monitoring Board :-

1[(a) The Planning and Monitoring Board shall be the Principal Planning Body of the University and also be responsible for monitoring the development of the University on the lines indicated in the objects of the University].

(b) The constitution of the Planning and Monitoring Board and its powers and functions shall be such as may be prescribed by the Statutes].

1. Substituted by *ibid*.

17. The Finance Committee :-

The constitution of the Finance committee and its powers and functions shall be prescribed by the statutes.

18. The Faculties And The Boards Of Studies :-

(1) The University shall include the Faculties of.--

(a) Arts;

(b) Science;

(c) Commerce;

(d) Law;

(e) Education;

1[(e-1) Audio-Visual Aids and Mass Media].

(f) Such other Faculties as may be prescribed by the statutes;

(2) Each Faculty shall consist of such departments of teaching as may be prescribed by the statutes.

(3) The constitution, powers and functions of the Faculties, the Boards of Studies, and of such other bodies as may be declared by the statutes to be authorities of the University shall be prescribed by the statutes.

(4) 2[(a) There shall be a Dean for each Faculty who shall be appointed by the Vice-Chancellor from amongst the professors in the Faculty.

Provided that if there is no professor in the Faculty, the Vice-Chancellor or a Director nominated by him shall act as the Dean].

(b) The term and conditions of the office of Dean shall be prescribed by the statutes.

2[(c) A separate Board of Studies shall be allocated to a department or a Faculty, as the case may be].

1. Inserted by A.P. Act 17 of 1985.

2. Substituted by Act 17 of 1985.

19. Terms Of Office Of Members Of The Executive Council,

Academic Senate And Planning & Monitoring Board :-

Terms of office of members of the 1[Executive Council], Academic Senate and Planning & Monitoring Board

The terms of office of the members of the 1[Executive Council], Academic Senate and Planning and Monitoring Board shall be prescribed by the statutes.

1. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21-2-1995).

19A. Special Provision As To The Reconstitution Of Executive Council And The Members Thereof :-

Special provision as to the reconstitution of 2[Executive Council] and the members thereof

1[Notwithstanding anything in this Act:-

(a) the members of the 2[Executive Council] constituted and functioning before the commencement of Section 8 of the Andhra Pradesh University Acts (Second Amendment) Act, 1985 (hereinafter referred to as the said Act) shall continue to be such members and function only until a new 2[Executive Council] is reconstituted in accordance with the provisions of this Act as amended by the said Act:

(b) on the reconstitution of such new 2[Executive Council] in accordance with the provisions of this Act as amended by the said Act, the members of the 2[Executive Council] holding office immediately before such reconstitution shall cease to be such members; and

(c) the persons, if any elected or nominated as members to the 2[Executive Council] in accordance with the provisions of this Act prior to the commencement of the said Act shall not have the right to be or to enter into office as such members after the commencement of this said Act]

1. Substituted by Act 17 of 1985.

2. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21-2-1995).

CHAPTER 5 UNIVERSITY FUNDS, ETC.

20. General Fund :-

The University shall have a general fund to which shall be credited.--

- (i) its income including the fees and endowments;
- (ii) contributions or grants which may be made by Government on such conditions as they may impose; and
- (iii) other contributions or grants.

21. Constitution Of Other Funds :-

The University shall have such other funds and maintain such account as the 1[Executive Council] may determine on the recommendation of the Finance Committee.

1. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21-2-1995).

22. Omitted :-

1. Section 22 omitted by Act 17 of 1985.

23. Certain Restrictions In Respect Of Financial Matters :-

The University shall not, without the prior approval of the Government, divert earmarked funds for other purposes or upgrade any post or revise the scales of pay of its staff or implement any scheme which involves the contribution from the Government or create a post or posts resulting in a recurring liability on the Government either immediately or in future;

Provided that the Board of Management may authorise the creation and filling up of posts of teachers for a period not exceeding one year but any such post or posts shall not be continued or created afresh for any period beyond the said period of one year without the prior approval of the Government.

CHAPTER 6 STATUTES AND REGULATIONS

24. Statutes :-

Subject to the provisions of this Act, the 1[Executive Council] shall have power to make statutes for all or any of the following matters, namely:-

- (a) the constitution, power and duties of the authorities of the University;
- (b) the powers, duties and conditions of service of the officers of the University other than the Chancellor;
- (c) the classification and the method of appointment of teachers of the University;

- (d) the holding of convocations to confer degrees;
- (e) the constitution of pension, insurance or gratuity or provident fund for the benefit of the officers, teachers & other employees of the University;
- (f) the registration of graduates and maintenance-of a register of registered graduates;
- (g) the admission of endowments and the institution of fellowships, travelling fellowships, scholarships, studentships, bursuaries, exhibitions, medals and prizes and the conditions of award;
- (h) all other matters which by this Act are to be or may be provided by the statutes.

1. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21-2-1995).

25. Statutes How Made :-

(1) The first statutes of the University are those set out in the Schedule.

(2) The 1[Executive Council] may from time to time make new statutes or any statute in addition to the first statutes referred to in sub-section (1) and may amend or repeal any statute including the first statutes;

Provided that the 1[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 1[Executive Council].

(3) Every new statute or addition to the statutes or any amendment or repeal of a statute require the approval of the Chancellor who may assent thereto or withhold assent therefrom or remit the same to the 1[Executive Council] for reconsideration.

(4) A new statute or a statute amending or repealing an existing statute shall have no validity unless it has been assented to by the Chancellor.

(5) Notwithstanding anything in the foregoing sub-sections, the Chancellor may make new or additional statutes or amend or repeal the statutes referred to in sub-section (1) during the period of three years immediately after the commencement of this Act;

Provided that the Chancellor may, on the expiry of the said period of three years make, within the three years from the date of such expiry, such detailed statutes as he may consider necessary and

such detailed statutes shall be laid before both Houses of the State Legislature.

1. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e. f. 21 -2-1995)

26. Regulation :-

(1) The Academic Senate shall have power to make regulations subject to the provisions of this Act, and such regulations may provide for all or any of the following matters, namely:-

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

(b) the course of study to be laid down and examinations and the conditions on which students shall be admitted to examinations for the degrees, diplomas, certificates and titles of the University;

(c) the grant of exemptions.

(2) All regulations shall have effect from such date as the 1[Academic Senate may direct but every regulation made by the Academic Senate shall be submitted, as soon as may be, to the 1[Executive Council] for approval by a simple majority or refer it back to the Academic Senate for reconsideration].

1[(3) Notwithstanding anything in sub-sections (1) and (2), it shall be competent for the 1[Executive Council] to frame regulations in relation to matters entrusted to it by this Act].

1. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e. f. 21 -2-1995)

27. Annual Report :-

The 1[Executive Council] shall prepare an annual report of the University on or before such date as may be prescribed by statutes. A copy of the report with a copy of the resolution thereon shall be submitted to the Government for information.

1. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e. f. 21 -2-1995)

28. Annual Accounts :-

1[The Finance Officer shall prepare during each financial year the annual accounts of the University of the preceding year and submit them to the 2[Executive Council] for consideration with the recommendations of the Finance Committee and thereafter submit

them to such audit as the Government may direct before the end of the financial year. The accounts when audited shall be published in the Andhra Pradesh Gazette and copies thereof together with copies of audit report shall be submitted to the 2[Executive Council] not later than two years from the end of the financial year to which the accounts pertain and to the Government.

1. Substituted by A.P. Act 17 of 1985.

2. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21-2-1995)

29. Financial Estimates :-

(1) The Finance Officer shall prepare before such date as may be prescribed by the Statutes the financial estimates for the ensuing financial year along with the annual accounts whether audited or not, of the preceding financial year and after they are considered by the Finance Committee submit them to the 1[Executive Council] for approval.

(2) The Government shall fix the block grant for the University normally for a period of five years.

Provided that any liability which the University may have incurred with the approval of the Government and which was not envisaged at the time of fixing the block grant shall, in addition to the block grant, be reimbursed].

1. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21-2-1995)

30. Power To Incur Unforeseen Expenditure :-

The 1[Executive Council] may, for reasons to be recorded 2[x x x] incur any expenditure for which no provision has been made in the budget or which is in excess of the amount provided in the budget.

1. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21-2-1995)

2. Words "in writing" omitted by A.P. Act 17 of 1985.

31. Conditions Of Service Of Employees And Settlement Of Disputes :-

(1) Every employee shall be appointed under a written contract which shall be lodged with the Registrar and a copy of which shall be furnished to the employee concerned.

(2) Any dispute arising out of a contract between the University

and any employee may be referred by the Vice-Chancellor to a grievances committee consisting of 1[such persons not being members] of the 2[Executive Council] as may be nominated by the 2[Executive Council]

1. Substituted by A.P. Act 17 of 1985.

2. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21-2-1995)

32. Procedure Of Appeal In Disciplinary Cases Against Students :-

Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examinations of the University for more than one year, may, within ten days of the date of communication of such orders or copy of such resolution to him appeal to the 1[Executive Council] and the 1[Executive Council] may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.

1. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21-2-1995).

33. Right To Appeal :-

Every employee or student of the University shall, notwithstanding anything contained in this Act, have a right to appeal within such time as may be prescribed by the statutes to the 1[Executive Council] against the decision of any officer or authority of the University and thereupon the 1[Executive Council] may confirm, modify or reverse the decision appealed against.

1. Substituted for the words "Board of Management" by Act 13 of 1995 (w.e.f. 21-2-1995)

34. Pension, Provident Fund, Etc. :-

1[The University shall constitute, for the benefit of its employees, in such manner and subject to such conditions as may be prescribed by the Statutes such schemes of pension, insurance and provident funds as it may deem fit with the prior approval of the Government].

1. Section 34 added by Act 17 of 1985.

35. Power To Remove Difficulties :-

If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make such provision not inconsistent with the provisions of this Act as appear to them to be necessary or expedient for removing the difficulty:

Provident that no such order shall be made under this section after the expiry of three years from the date of commencement of this Act.

36. Appointment Of The First Vice-Chancellor, The First Registrar And The First Finance Officer :-

Notwithstanding anything in this Act, and the statutes, the first Vice-Chancellor, the first Registrar and the first Finance. Officer shall be appointed by the Chancellor on a salary to be fixed by him and each of the said officers shall hold office for a period to be fixed by him but not exceeding three years.

SCHEDULE 1

THE SCHEDULE

[See Section 25(1)]

The Statutes of the University

STATUTE 1

The Vice-Chancellor

1[(1) Subject to the provisions of sub-section (1A) of Section 10, the Vice-Chancellor shall hold office for a term of three years from the date of his appointment and shall be eligible for reappointment to that office for another term of three years in the manner provided in sub-section (1) of Section 10.

(2) The Vice-Chancellor shall be paid such pay and allowances as may, by order, be specified by the Government from time to time. He shall be provided with a furnished official accommodation for which he shall pay ten per cent of his salary towards rent.

(2-A) When the Vice-Chancellor is unable to exercise his powers, perform his functions and discharge his duties owing to absence, illness or any other cause or when the office of Vice-Chancellor is vacant, it shall be competent for the State Government to appoint a person to be in-charge Vice-Chancellor. The person so appointed as in-charge Vice-Chancellor shall exercise the powers, perform the functions and discharge the duties of the Vice-Chancellor until the Vice-Chancellor assumes the office, or as the case may be, a new Vice-Chancellor is appointed in accordance with sub-section (1) of Section 10].

(3) It shall be competent for the Chancellor to accept the resignation of the Vice-Chancellor;

(4) When the post of the Vice-Chancellor falls permanently vacant either by resignation or otherwise the vacancy shall be filled by the Chancellor by appointing another person as Vice-Chancellor and the Vice-Chancellor so appointed shall hold office for a full term of three years.

(5) (a) The Vice-Chancellor shall, by virtue of his office be a member and Chairman of the 2[Executive Council] and of the Planning Board. He shall preside at the

meetings of the convocations of the University in the absence of the Chancellor,
(b) The Vice-Chancellor shall have power to convene meetings of the 2[Executive Council] Academic Senate and the Planning Board.

3[(c) The Vice-Chancellor shall be entitled to participate in any meeting of any authority of the University or of any committee thereof whether or not he is a member of such committee; but he shall not be entitled to vote thereat unless he is a member of the authority of committee concerned];

(d) It shall be the duty of the Vice-Chancellor to see that the provisions of this Act, the statutes and the regulations are duly observed and he may exercise all powers necessary for this purpose.

(e) He shall have power to interpret the provisions of this Act, the Statutes and the regulations 3[Any person or authority who does not agree with the interpretation may] within such time as may be prescribed by the regulations, appeal to the Chancellor;

Provided that.--

(i) if such interpretation was given at a meeting of the Executive Council the appeal shall lie to the Chancellor direct:

(ii) if such interpretation was given otherwise than at a meeting of the 4[Executive Council] the appeal shall be forwarded to the Chancellor through the 4[Executive Council].

The decision of the Chancellor on the appeal shall be final.

(6) He shall give effect to the decision of the authorities of the University taken in accordance with the powers conferred by or under this Act.

4[STATUTE-2

4["THE EXECUTIVE COUNCIL

2.(1) Executive Council.-- The Executive Council shall consist of the following persons, namely:-

Class I - Ex. Officio Members

(i) the Vice-Chancellor;

(ii) the Rector;

(iii) the Secretary to Government in the Education Department or an officer in the Education Department nominated by the Government;

(iv) the Secretary to Government in the Finance and Planning (Finance Wing) Department or an Officer in the Finance and Planning (Finance Wing) Department nominated by the Government; (v) the Director of Higher Education/the Commissioner of Collegiate Education.

Class II - Other Members

(i) one senior professor of the University colleges to be nominated by the Government;

(ii) four eminent persons of whom one shall be from among the Vice-Chancellors of Universities specified in the Schedule to the Andhra Pradesh Universities Act, 1991 and the others from the fields of Industries or Commerce or Legal, Engineering or Medical Professions or from such other fields of public life as the Government may consider useful to the University, to be nominated by the Government.

(2) Every member of the Executive Council other than Ex. Officio member shall hold office during the pleasure of the Governor.

(3) The Executive Council shall meet at least once in three months and may meet often if necessary.

(4) Upon a requisition in writing signed by not less than one-third of the total number of members of the Executive Council, the Vice-Chancellor shall convene a meeting thereof on a date appointed by him which shall not be later than seven days from the date of receipt of requisition aforesaid.

(5) In the absence of the Vice-Chancellor from any meeting of the Executive Council, the members present at the meeting shall choose one among themselves to preside over the meeting.

(6) The quorum for a meeting of the Executive Council shall be one-third of the total number of members or six persons, whichever is less".

5[STATUTE - 3

The Academic Senate

1. The Academic Senate shall consist of the following persons, namely;

Class -I Ex-Officio Members:

- (1) all members of the Planning and Monitoring Board of the University;
- (2) all Directors of all Correspondence Schools of Universities in the State;
- (3) the Director of Technical Education;
- (4) a nominee of the Indira Gandhi National Open University.

Class - II Members, to be Nominated by the Government:

- (1) one third of the total number of professors or Co-ordinators of the University, by rotation;
- (2) five students of the University.

Class - III Elected Members:

Five members of the Legislative Assembly to be elected from among themselves by the members of the Legislative Assembly of whom one each shall belong to Scheduled Castes, Scheduled Tribes and Backward Classes. The election shall be held according to the system of proportional representation by means of the single transferable vote and according to procedure prescribed by the Statutes."];

5[STATUTE - 3-A

Planning and Monitoring Board

(1) There shall be a Planning and Monitoring Board consisting of;

- (i) the Vice-Chancellor (Chairman);
- (ii) two educationists nominated by the Government;
- (iii) two nominees of the University Grants Commission.

(2) The Board shall be the principal planning and reviewing body and it shall also arrange for periodical monitoring of the development programmes and of teaching and research in the University.

STATUTE 4

3[The Academic Senate

(1) Save as otherwise provided, 2[Executive Council] the Finance Committee] and the Planning and Monitoring Board] shall be reconstituted at or about the same time every three years and the members of these authorities shall except in case of ex-officio members hold office as members thereof upto the date of next reconstitution.

(2) Notwithstanding in Clause (1) any vacancy in the said membership occurring before the next reconstitution or before the expiry of the prescribed period shall be filled up as soon as conveniently may be in accordance with the provisions of this Act.

Provided that no vacancy in the said membership occurring within six months before the next reconstitution shall be filled up until such re-constitution, unless the Vice-Chancellor decides that it shall be filled up earlier.

(3) No member of an authority specified in Clause (1) who is appointed or nominated in his capacity as a holder of a particular office or appointment shall continue to be a member of such authority on his ceasing to be a member or the holder of the particular office or appointment.

(4) Where an appointed or nominated member of an authority specified in Clause (1) is appointed temporarily to any of the offices by virtue of which he is entitled to

be a member of that authority ex-officio, he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven clear days from the date of his taking charge of his temporary appointment, choose whether he will continue to be a member of that authority by virtue of his appointment or nomination, or whether he will vacate office as such member and become a member ex-officio by virtue of his temporary appointment, and the choice shall be final. On failure to make such choice, he shall be deemed to have vacated his office as an appointed or nominated member.

STATUTE 5

Powers and functions of the 6[Executive Council]

The 6[Executive Council] shall have the following powers namely:-

- (1) to direct the form, custody and use of the common seal of the University.
- (2) to hold, control and administer the property and funds of the University.
- (3) to enter into, vary, carry out and cancel contracts on behalf of the University in the exercise of performance of the powers and duties assigned to it by this Act and the statutes.
- (4) (a) 7[xxxx]
- (b) to administer all funds placed at the disposal of the University for specific purposes.
- (5) (a) to appoint the teachers of the University below the rank of Assistant Professors,
- (b) to appoint the teachers of the University below the rank of Assistant Professors on the recommendation of the Selection Committee constituted, for the purpose. Provided that the 6[Executive Council] may invite any person of high academic distinction and professional attainments to accept a post of Professor in the University and appoint him to that post.
- (c) to fix emoluments of the teachers of the University and define their duties and conditions, of service.
- (6) to suspend, remove or dismiss the teachers of the University subject to the such statutes as may be made in this behalf.
- (7) to appoint, dismiss, remove or suspend the employee of the University.
- (8) to fix the emoluments of the employees of the University and define their duties and the conditions of service.
- (9) to award fellowships, travelling fellowships, scholarships, exhibitions, bursaries, studentships, medals and prizes in accordance with the rules laid down.
- (10) to appoint examiners in consultation with the Board of Studies and to the fix their fees.
- (11) to conduct University Examinations and to approve and publish the results thereof.
- (12) to prescribe the fees to be charged for admission to the examinations, degrees, diplomas and oriental titles of the University.
- (13) to charge and collect such tuition and other fees as may be prescribed by the Statutes for admission to courses of study in the University.
- 8[(14) [Omitted]
- (15) [Omitted]
- (16) [Omitted].
- (17) to delegate any of its powers to the Vice-Chancellor or to a committee from among its own members or to any employee of the University.
- (18) to regulate and determine all matters concerning the administration of the University in accordance with the Statutes and the Regulations, and to exercise such other powers or duties as may be conferred or imposed by this Act.

STATUTE 6

9[Powers of the Academic Senate]

(1) The 9[Academic Senate] shall, subject to the provisions of this Act and the Statutes, have the power by regulations prescribing all courses of study and of determining curricula and have general control of teaching within the University and be responsible for the maintenance of the standards thereof. It shall have power to make regulations consistent with this Act and the Statutes relating to all matters which by this Act and the Statutes may be provided for by Regulations and to amend or repeal such Regulations.

(2) In particular and without prejudice to the generality of the foregoing power, the Planning and Monitoring Board shall have power:

(a) to advise the 6[Executive Council] on all academic matters including the control and the Management of the libraries;

8[(b) Omitted]

(c) to make recommendation to the 6[Executive Council] for the selection of a study centre in the University area;

8[(d) Omitted]

(e) to make Regulations regarding the enrolment of students to the University;

(f) to make regulations regarding the examinations of the University and the conditions on which students shall be admitted to such examinations;

(g) to make regulations relating to courses of study, leading to degrees, diplomas and titles of oriental learning in the University:

(h) to make regulations, prescribing equivalence of examinations, degrees and diplomas of other Universities and Boards:

(i) to make regulations prescribing the manner in which exemptions relating to the enrolment of students to examinations may be given;

8[(j) Omitted]

(k) to make recommendation to the 2[Executive Council] regarding the qualifications to be prescribed for teachers in the University:

(l) to make regulations for encouragement of co-operation and reciprocity among study centres to promote academic life;

8[(m) Omitted],

(n) to delegate to the standing committee or to any other committee or to the Vice-Chancellor, any of its powers;

(o) to exercise such other powers and perform such other duties, as may be conferred or imposed on it by or under the provisions of this Act.

STATUTE 7

The Finance Committee

10[(1) There shall be constituted a Finance Committee which shall be a sub-committee of the 2[Executive Council] with the following members, namely.--

(a) the Vice-Chancellor (Chairman);

(b) two members of the 2[Executive Council] nominated by it;

(c) one member of the 2[Executive Council] to represent Banking or Accounting;

(2) The Finance Officer shall be Secretary of the Finance Committee".

(3) The Finance Committee shall have the following duties namely.--

(a) to meet at least twice every year to examine the accounts and to scrutinise proposals for expenditure;

(b) to consider the annual accounts and financial estimates of the University prepared by the Finance Officer and laid before it;

(c) to fix limits for the total recurring and non-recurring expenditure for the year based on the income and resources (which in the case of productive work, may include the proceeds of loans) and no expenditure shall be incurred by the University in excess of the limits so fixed;

(4) No expenditure other than that provided in the budget for any year shall be incurred by the. University without the approval of the Finance Committee];

STATUTE 8

2[Selection Committee

(1) There shall be constituted a Selection Committee in regard to the appointment of Professors, Associate Professors (Readers) and Assistant Professors (Lecturers) which shall consist of the following, namely.--

(i) the Vice-Chancellor;

(ii) three experts from outside the University to be nominated by the Vice-Chancellor of whom atleast two shall be present in the Selection Committee;

(iii) Chairman of the Board of Studies concerned;

(iv) the Head of the Department concerned;

Provided that no person shall participate in the meetings of the Selection Committee for any appointment if he or his near relative is a candidate for that appointment:

Provided further that no teacher holding a post lower in rank than the one to which appointment is to be made, shall be a member of Selection Committee.

(2) The Registrar shall be the Secretary of the Selection Committee.

(3) Provisions shall be made in the Statutes in respect of such matters as may be considered necessary and not provided for in sub-sections (1) and (2) in order to ensure fair selections."

STATUTE 9

Constitution of Committees

All the authorities of the University shall have power to appoint Committees. Such Committees, may unless there be some special provision to the contrary, consist, of members of the authority concerned and of such other persons, if any, as the authority in each case may think fit.

STATUTE 10

Appointment of Teachers

(1) Save as otherwise provided every salaried officer and teacher of the University shall be appointed under a written contract, and the conditions of service relating to them, shall as far as possible be uniform except in respect of salaries payable to them.

(2) The contract shall be lodged with the Registrar and a copy thereof shall be furnished to the officer or teacher concerned.

STATUTE 11

Teaching, Admission of students and Recognition of Degrees and Diplomas

The courses of study and curricula shall be those prescribed.

(1) No student shall be eligible for admission to a course of study qualifying for admission to University examination unless he has passed the examination prescribed as qualifying for admission to such course or an examination recognised by the Planning Board as equivalent thereto and possesses such other qualification, if any, as may be prescribed.

(2) Every candidate for an University Examination shall unless exempted in accordance with the Regulations prescribed be an enrolled member of the University.

(3) The University shall recognise by every degree conferred or diploma granted by any other University in the State as equivalent to the corresponding degree or diploma conferred or granted by the University.

STATUTE 12

Disqualification for Membership

No person shall be qualified for nomination as a member of any of the authorities of the University if he,

(a) is at the date of nomination of unsound mind a minor a deaf mute or is suffering from leprosy; or

(b) applies to be adjudicated as an insolvent or is an undischarged insolvent: or

(c) has been convicted and sentenced by a criminal Court to transportation or imprisonment for a period of more than one year for an offence involving moral turpitude unless such sentence has been reversed or the offence has been pardoned or a period of five years has elapsed from the date of the expiration of the sentence.

STATUTE 13

Disputes as to constitution of Open University authorities:

Save as otherwise provided, if any question arises whether a person has been duly appointed or nominated or is entitled to be member of any Authority of the University, the question shall be referred to the Chancellor, whose decision thereon shall be final.

STATUTE 14

3[Constitution of Advisory Committee

The University shall have power to constitute an Advisory Committee to ascertain from time to time, the views and suggestions of the students in regard to the functioning of distance Education. The constitution and functions of the Advisory Committee shall be such as may be provided by regulations".

1. Substituted by A.P. Act 13 of 1991 (w.e.f. 19-2-1991).

2. Substituted for the words "Board of Management" by Act 13 of 1995(w.e.f. 21-2-1995

3. Substituted by A.P. Act 17 of 1985.

4. Substituted by A.P. Act No. 13 of 1995.

5. Statues 3 and 3-A Substituted by Amendment Act No. 13 of 1991. .

6. Substituted by A.P. Act 13 of 1995 (w.e.f. 21-2-1995).

7. Omitted by *ibid*.

8. Omitted by A.P. Act 17 of 1985.

9. Substituted by *ibid*.

10. Substituted by A.P. Act 13 of 1991.