

# 43106 Constitution of The Moslem University.

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## I.

### The Comrade's Views.

*Leading article in "The Comrade" of 12th August 1911.*

IF A FORTNIGHT ago we felt compelled to take the Secretary of the Moslem University Constitution Committee to task for inordinate delay, this week we readily offer him and those associated with him in the preparation of the Draft of the Constitution our congratulations on the excellent way the work has been done. We also congratulate the Committee on its sensible decision to publish the draft before it met to consider it finally. No purpose could have been served by needless secrecy only partly maintained, and a crop of suspicions would have grown up in the meantime. Although the Moslem community has barely a week left for expressing its views on the Draft, even that is better than nothing. The Committee will, at any rate, be able to benefit from a knowledge of the first impression produced on the mind of the public. We have all along sympathised with the natural curiosity of the public for we felt sure that such curiosity was a sign of vitality and a growing interest in the affairs of Aligarh which we have always strenuously desired to create. But at the same time, we earnestly appeal to the community to take the Draft Constitution into its consideration with the sobriety and careful thought which its importance demands and which is expected from the Mussalmans. We also hope that public discussion would not be wasted only on small details but would be centred, so far as possible, on the main principles of the Constitution. We have a great and abiding faith in the utility of public discussions, and we may even take some pride in the fact that so many public discussions of the affairs of Aligarh were initiated by ourselves. But we are all the same conscious that nothing gives a better handle to reactionaries than an ill-directed and ill-informed public discussion of details ending in the use of strong language and even vituperation instead of reasoning and arguments. We trust our Moslem contemporaries,

and specially the leading Urdu papers, would exercise their judgment carefully in publishing letters from irate correspondents, though we are far from suggesting that free discussion should be choked and strangled.

In turning to the draft itself, we may preface our remarks with the confession that it is not possible to exhaust our examination in a single article. As we have said in an earlier issue, there are two parts of the Constitution, one concerning the relations of the University and the Government, and the other concerning the relations of the University and the Community. As regards the first part, the main features of the Constitution are that the powers which had been secured to the Local Government under the Rules and Regulations of the Trustees of Aligarh, in 1889, are now being transferred, almost in the very words of the Code of 1889, to the Viceroy; and that in the regulation of courses of study and examinations—a function hitherto performed by the Allahabad University with a Senate to a large extent composed of nominees of the Local Government and non-Moslems—the Viceroy is to be associated with the Professors and Wardens of the Moslem University and nominees of its Trustees and Graduates, having himself the power of nominating five Senators, in addition to the Secretary to the Government of India in the Education Department. Besides the obvious advantages of securing permanently the interest and the good-will of the head of the Imperial Government in India, the University gains from the inclusion of six Government Senators the valuable right of having its degrees recognised by the Government as of the same force and value as those conferred by Government Universities. So long as the academic distinctions conferred by Universities remain the chief, if not the only, passports for admission into the Public Service, and the Mussalmans do not make up their deplorable deficiency in the matter of Government appointments, section 27 of the University Act will remain a most valuable assurance. The framers of the Constitution have established the *bona fides* of the community by allowing to the Government not only about a sixth of the total seats in the Senate, which is to determine the courses of study, but also the power of sanctioning the selection of the Boards of Examiners, one of whom on each Board would be an external and independent examiner. We hope a time will come when the Chancellor would himself declare that he can trust the University without nominating five Senators or insisting on the retention of the provision about external examiners. But we are fully convinced that in view of all the circumstances these two provisions are not at all too rigorous at present. In fact, it was not the Government which demanded these provisions, but the Constitution Committee itself which framed them *proprio motu*.

As regard the management of the University, it is left as much in the hands of the Moslem Trustees as it was in the case of the College. Evidently, the word "Veto" caused a good deal of misunderstanding. When it comes to be known that the "Veto" of the Chancellor can only be exercised when the Statutes are repealed, added to, or amended, and that this power, like other powers of the Chancellor, is the same as the Local Government possesses to-day under sections 116 and 142 of the Rules and Regulation in the case of the College, we are confident that the uneasiness of the community will at once be removed. We draw attention to the foot-notes which we have given to the various clauses of the Statutes dealing with the Chancellor's powers. They contain similar provisions included in the Rules and Regulations of the Trustees of the College and will convince the reader that no change has been made or attempted in the scheme laid down by the great Founder of the College. There is one change however, which demands reference. The Vice-Chancellor of the University, who will be the Secretary of the Court of Trustees and Chairman of the Council of the Court, will be elected by the Trustees as the Secretary of the College has hitherto been, but his election will be subject to the approval of the Chancellor. Although we thought it necessary to mention this, we may add that this is intended to be more a ceremonial than a practical change. It would not have looked well if the Vice-Chancellor, who is likely to officiate for the Chancellor at the Convocation in his absence, had been appointed without any reference whatever to the Chancellor. There need be no apprehension that the representative of the Mussalmans who possesses the confidence of the whole community would be rejected by any Chancellor after his election by the Court of Trustees.

We may also mention that under Clause 1 (d), all appointments of Wardens and Professors shall be reported to the Chancellor, and that it is proposed to give him the power of veto. We do not see why this sub-clause should have been added. If it is meant to give the Chancellor a power in the appointment of the officers of the University which the Local Government does not now possess in the case of the Professors of the College, then we are sure the change will not be acceptable to the community. We shall be the first to own that Englishmen possess the sense of discipline to a greater degree than men of other countries and races. But from the daily experience of Native States we also learn that this sometimes wholly disappears, and is in most cases much weakened, when Englishmen have to serve under Indian superiors. This is due to the feeling common to-day to most white men that colour is a mark of inherent inferiority, and it is

not always possible to be sincerely and whole-heartedly loyal and obedient to superiors whom the subordinate considers inferior to himself. That is the reason why Europeans have seldom been able to leave any permanent mark of their administration as servants of Native States. The best period of Aligarh was that when able Englishmen worked under an abler Indian and acknowledged him as their superior, not only officially, but also in character and attainments; and the worst troubles of Aligarh have been due to the change in these relations. It is not often possible to secure a man of the type of Sir Syed Ahmed Khan to be at the head of affairs at Aligarh; but if any change takes place in the existing official relations of the Trustees and their employees we are afraid the latter's sense of discipline would be considerably weakened and we shall have a repetition of those unfortunate recent occurrences which every friend of Aligarh must wish to make impossible. We think it would be highly impolitic for the Chancellor to intervene, even in theory, between the Trustees and the Staff of the University, and we hope the Government will not desire to make any change in the arrangements which have stood the test of the last 36 years. But if, as we understand, the power of veto is only to be exercised after the appointment has been made independently by the Trustees, then too the sub-clause should be struck off altogether. Under clause 7 of chapter III., which corresponds to section 144 of the present Regulations of the College, the Chancellor shall have the power to call upon the Court of Trustees, from time to time, for information, with the view of satisfying himself that the staff of the University is sufficient and fit for its educational requirements. If on the receipt of such information he deems any member of the staff to be incompetent and unsuitable he shall have the power to ask for a report from the Court about the person concerned, and if on the receipt of such report he is satisfied about the desirability of his removal, he may require the Court so to do. We think this power is sufficiently comprehensive, and there is no need of further elaboration or specific mention in the chapter dealing with appointments of the general power of the Chancellor to require the removal of any member of the staff whom the Trustees may have appointed but who does not appear to the head of the Imperial Government to be a desirable tutor. While on the subject of appointments we may mention that the use of the word "European" in chapter XXX. is somewhat misleading, though it is stated in clause 1. that the term European Officer or European Staff shall mean "those members of the University Staff who are graduates of any of the European Universities." It would be better to remove the word

European from clause 2 altogether and to add to clause 1. an explanatory sub-clause stating that Indian graduates of European Universities shall for all purposes be regarded as equal in rank to Europeans possessing the same qualifications.

Not less important than this part of the Constitution, but to our mind even more important, is the second part which deals with the relation of the University to the Moslem community ; for we hold that no matter how easy the terms of the first part may be, unless the authorities of the University are the pick of the community and its true representatives, the University will some day come to grief. We can, however, congratulate the community, and also ourselves, that the constitution of the Court of the University is a very great improvement on the system which is in force to-day as regards the Board of Trustees of the Aligarh College. We congratulate ourselves because the improvement is almost exactly the same as we had repeatedly advocated. But the bad old system has still left some marks on the Constitution of the University and disfigures it. Under that system the Trustees hold office for life, and instead of election by various classes of the community the Trustees themselves co-opt other Trustees in case of vacancies. In the Draft Constitution, although for the future the systems of life-Trustees and co-option have been discarded, existing Trustees are to hold office for life, and when a vacancy occurs in their ranks it is provided that the Court *may* elect some fit person, who shall hold office for five years, provided that the number of such substitutes does not exceed 70. Now, those who have carefully watched the affairs of Aligarh during the last 10 or 12 years will have no hesitation in agreeing with us that the retention of the present Trustees, who number 92 and include many young men who, we hope, would live to a green old age, is a great mistake. As the total number of Trustees would be 192, and as 30 of the quinquennial Trustees shall be elected by the Court itself—which means that a fair number of them would be the nominees of the 92 life-Trustees—it is clear that for a long time to come the majority in the Court would be that of the present life-Trustees and their nominees ; or, in other words, the present state of affairs will be unduly prolonged. We have no hesitation in saying that the advocates of the life tenure and co-option have no confidence that any independent electorate of the community would elect them. All that we can say is that if the independent electorates which are now being created are capable of electing 100 quinquennial Trustees, they are also capable of recognizing the merits and demerits of the 92 who are already Trustees, and if they were left to choose, say, 50 or 60 out of this group, we may be sure the Trustees who would not get re-

electd would be just those whose existence is either of no use to the College or even injurious to its interests. We would, therefore, urge the community to express its views on this question and ask the committee to eliminate life tenure and the system of co-option altogether. As for the provision for the election by the Court of the substitutes of life-Trustees for five years we frankly say we have not come across a more absurd arrangement for an artificial and make-believe prolongation of the life of people some of whom have already held on too long to the office of Trustee. In fact, it would be a much better plan to permit life-Trustees to take *dattak* than to allow the remnants to select their successors for five years after which the seats would be abolished. We would suggest that such of the present Trustees as are not Old Boys should be grouped into a separate electorate, with the privilege of electing about half or even two-thirds of their own number for periods of five years till such time as no member of this electorate was left alive. There would then be no invidious distinctions of life-Trustees and temporary Trustees, and while present Trustees will have no legitimate grievance, all would be ranked alike.

For the election of the quinquennial Trustees five electorates have been formed. Twenty are to be elected by the Conference, twenty by the Old Boys' Association, five by the Islamia College of Lahore, ten by Moslem Graduates and Barristers and fifteen by such Moslem landowners as pay to the University Fund one pie in the rupee upon the revenue payable by them to the Government. These bodies are to elect a fifth of their number every year. The electorates are excellent; but we should like to add that the election of the representatives of the Conference should not be left to a co-opted Central Standing Committee, nor confined only to its members. It should be left to the Conference to decide how these twenty persons should be elected. We are also sorry that although after a Homeric struggle, chiefly, and unfortunately, waged between Old Boys themselves, the Committee consented in April last to give to the Old Boys' Association the right of electing 20 Trustees and to the Graduates and Barristers 15 Trustees out of a total of 89. In the draft which is now published, although the total is raised to a round 100, the share of the Old Boys is still 20, and the Graduates and Barristers have come down from 12 to 10. If out of a total of 89, the two more educated electorates were to elect 32, they should have been allotted no less than 36 seats out of the increased total of 100. But, on the contrary, they are now given only 30, and while the cess-paying landowners have been given a well-deserved increase of 3, the Court—which means 92 life-Trustees out of a total of 112 in the first year, 132 in the second, 152 in the third year and so on—has been given an increase of 10. This is a wholly

reactionary proceeding, and we trust the Old Boys' Association—if it has not already been killed by its office-bearers—will fight for its rights, and either secure five more members for itself or for the sister electorate of Graduates and Barristers. As we have already suggested the absolute elimination of the system of co-option, we would propose that the 30 seats allotted to the Court should be divided over the independent electorates in proportion to their existing allotment. If, however, the allotment of the draft is confirmed, we fear even 15 would prove too large a quorum for the Court. In the first year there will be only 112 Trustees, and if the quorum of 7 has often proved too much for the interest and energy of the present number, would not 15 be too much for 112?

We are glad to notice that the thrice unblessed system of proxies is to disappear and its place is to be taken by a system of written votes in the case of those who cannot attend a meeting of the Court. But it is all important that the Trustees should visit the University from time to time, and, in view of this, the old provision, that only those shall be deemed to have resigned their office on account of evincing no interest for the promotion of the objects of the trust who should refrain for several successive years from even answering the papers sent to them for votes and other purposes, is hopelessly lenient and ineffective, even though the period is reduced from three to two years. We would suggest that absence from two or three consecutive meetings should be deemed to be sufficiently indicative of lack of interest, if, as seems to be the intention of the framers of the Constitution, the Court should be bound to hold only one meeting a year instead of the two which are now required to be held. For our part, we would suggest that quarterly meetings should be held regularly, and if this suggestion is adopted, we are prepared to alter our preceding suggestion so as to make absence at four or six consecutive meetings sufficient ground for the removal of a member of the Court.

We postpone our remarks on the other features of the Constitution for next week, and in the meantime earnestly beseech those who have already promised to contribute to the creation of the University to fulfil their promises, and those who have not yet decided to do so to make up their minds without delay in a cause in which the delay of a few days and weeks may perhaps mean the irretrievable loss of the chance of a lifetime. Let it not be said that the Mussalmans are capable of nothing but passing vociferous resolutions in favour of the University, making grand promises which remain unfulfilled, and of raising hopes which are doomed to die without fruition. Let them beware that they are to-day on their trial, and if they fail now, they will never be able to raise their heads in future. When the clarion call of H. H. the Aga

Khan was heard, and the community rose as one man to make a ready response to his appeal, the rest of India was wonder-struck at unmistakable signs of such stupendous vitality in a community which it had become the fashion to regard as moribund. But to-day if the ready pledges of yesterday are not redeemed in full, the rest of India would send forth a peal of derisive laughter which would drown both the clarion call and the loud response. It is for the Mussalmans to say whether the other communities should repeat their own great *dictum*

اَلْكَرِيْمُ اِذَا وَعَدَ رَفِيٌّ or the taunt of their poet—

وہ اے امید کیا جسکی ہوائنتہا \* وہ وعدہ نہیں جو وفا ہو گیا



## II.

# The Raja of Mahmudabad's Appeal.

MEMBERS OF MY COMMUNITY,

YOU will have noted with satisfaction the decision in principle of His Majesty's Secretary of State and of the Government of India relating to the establishment of the Moslem University.

The chief point on which we have been called upon to satisfy the authorities turns on the question of funds. You have very generously promised subscriptions which, if realised, will enable us to launch our University Scheme with a substantial Balance Sheet. You are aware that the sittings of our committee begin in the third week of this month, when a Financial Statement must be prepared, and we propose to present it to the authorities as early as possible in September next. It is, therefore, high time that the sums on the subscription lists in various parts of this country should now be paid into the Bank to enable us to show the amount at credit of the fund.

His Highness the Aga Khan urges me to appeal vigorously to my community for funds and in his last message to me he says that but for his health he would have come out at once to make a personal appeal to you. I know that remembering the circumstances of his recent tour in this country you will be moved by this message from your true and enthusiastic leader beyond the Seas.

The time has now come when strenuous efforts must be made for the speedy collection of funds, and it is essential for the success of the scheme that every member of my community should pay in his subscription by the 30th August. My own humble donation, I may add, will be paid before the 15th instant. I am confident that you thoroughly realise the urgent need for this appeal, and in making it at this juncture I sincerely trust that you will now come forward to turn your promises into hard cash.

In conclusion, I would remind you that the University Scheme is a very great national movement and one upon which the future welfare of the community largely depends. If any delay, therefore, occurs in its completion for want of funds—which I do not for a moment believe will be the case—it will gravely affect our national honour. In the name of that honour and of the unity which links together the heart of every Moslem, I join with His Highness the Aga Khan, your great leader, in appealing to your sense of generosity and love of Islam to make an immediate response to our humble request so that the Financial Statement which we shall present to the Government may be entirely satisfactory.

MOHAMED ALI MOHAMED,  
of Mahmudabad.

### III.

## The Aga Khan's Message.

*Cablegrams to the Hon. the Raja Saheb of Mahmudabad.*

VICHY, 24th July.

I AM READY to give subscription immediately. But one man's payment at this juncture is useless. I earnestly beg you and community to organise vigorous appeal to all subscribers to give every sum promised before September or some date fixed by your Committee. Every one who promised should be personally approached for payment. Public and National appeal for payment by a fixed date be issued and vigorously carried out by travelling beggars and newspapers. As soon as public action is taken, I will pay my donation. This method, though more effective, entails hard work for six weeks. I beg nation to act vigorously now and appeal all leaders to pay themselves and make others pay.

VICHY, 2nd August.

VERY sorry owing to congestion of heart I cannot come immediately, otherwise I would have come and gone abegging for payment. I pray you and leaders and whole community to take decisive action. Six weeks left. Leaders should travel publicly to beg and raise sums promised and get 25 lakhs completed. I will gladly send my humble subscription as soon as united public action is decided upon. Do act please.

## The Government's Assurance.

*Letter addressed by the Hon. Mr. Butler to the Raja Sahib of Mahmudabad.*

"MY DEAR RAJA SAHEB,—At the end of May last you came to see me informally, accompanied by Nawab Mushaq Husain, Honorary Secretary of the Mubammadan Anglo-Oriental College, Mr. Aftab Ahmad Khan and Dr. Zia-ud-din, in connection with a proposal to establish a Moslem University at Aligarh. You represented in eloquent language the past history and the present position of the Anglo-Oriental College and you claimed that the results had amply justified the foresight of Sir Syed Ahmad Khan, and had proved beneficial in the highest degree not only to your community, but also to the State. You pointed out that the College had increased largely since the death of its distinguished founder without departing from the principles which he had laid down. When Sir Syed Ahmad Khan died in 1898, there were 149 College students; there are now nearly 500. There were then three Europeans on the staff; there are now seven. The income then was Rs. 70,000; it is now some Rs. 2,12,000. In 1898 the College was occupied almost entirely by residents of the United Provinces and the Punjab; it now has amongst its members representatives of every portion of the Indian Empire, of Persia and of other countries. The number of lecture rooms and boarding houses has more than trebled since 1898, and in that time no less than 26 lakhs of rupees have been collected to carry on the work of Sir Syed Ahmed Khan. It had been a dream of Sir Syed, which occupied his thoughts in his declining years, to found a University for Muhammadans at Aligarh. You enlarged on the advantages which a University of your own would confer on your community, on the inadequate representation which your community had in the existing Universities, the enthusiasm which your own University would create amongst Muhammadans for education at every stage, the advantages of a teaching over an examining University, the need for religious teaching and the protection of Oriental learning. The Muhammadan Anglo-Oriental College, you stated, had done much to fulfil the objects of its founder, but the time had come to enlarge the scope and usefulness of the institution and to develop it to the fulness of the scheme which he had in view. As regards the constitution of the proposed University, you desired that it should conform to the basic principles of the College out of which it would grow, *viz.*, that it should have on the one hand, the

complete confidence of the British Government, and on the other hand, the complete confidence of the Muhammadan community in India.

"We discussed the matter informally, and I undertook to lay your wishes before the Government of India. It was decided, before going further, to ascertain whether His Majesty's Secretary of State would approve in principle of the establishment of a University at Aligarh. I am glad to be able to inform you and your Committee that the Government of India and His Majesty's Secretary of State will sanction the establishment of a University, provided, first, that your Committee can show that you have adequate funds in hand for the purpose and, secondly, that the constitution of the proposed University is acceptable in all details to the Government of India and to His Majesty's Secretary of State.

"I suggest that the most convenient course now will be that your Committee should draw up a financial statement showing the funds that you have collected and the estimates which you have framed of the cost of your scheme, both capital and recurring expenditure, with your proposals as to the constitution of the University. I shall then be glad to discuss them with you and a deputation of your Committee and to convey to you in due course the decision of the Secretary of State and the Government of India. Should it be finally decided to establish the University, it will be necessary to introduce a Bill in the Imperial Legislative Council. The Government of India will be glad to draft the Bill in communication with the deputation of your Committee. It is not possible to foresee at present how long a period will elapse before the scheme arrives at accomplishment. That will depend on the progress that you make with the collection of funds sufficient for the purpose in view, and on the nature of the proposals which you make for the constitution. I can assure you that there will be no delay in the Education Department, and that any assistance or advice that your Committee may require will be gladly given; but the matter, of course, will eventually have to be referred to His Majesty's Secretary of State, who has reserved full discretion in regard to every detail of any scheme which may eventually be laid before him.

"(Sd.) HARCOURT BUTLER."

## Draft of the Constitution.

*To be laid before the Constitution Committee in its Meeting on the  
18th, 19th and 20th August.*

### THE MOSLEM UNIVERSITY ACT, 1911.

#### PREAMBLE.

WHEREAS a memorial has been presented to Government by the Trustees of the M.A.O. College, Aligarh, and other leaders of the Moslem community praying for the erection of a Moslem University at Aligarh,

And whereas it appears to Government that considering the peculiar circumstances of the Moslem community and its special educational requirements, such prayer is just and reasonable,

And whereas it has been determined to establish a University at Aligarh,

It is hereby enacted as follows :—

#### SHORT TITLE AND COMMENCEMENT.

Section 1.—This Act may be called the Moslem University Act.

Section 2.—A Moslem University shall be established at Aligarh which shall come into existence on such a day as the Government of India may by notification appoint in this behalf.

Section 3.—In this Act, unless there is something repugnant in the subject or context :—

- (a) The term "College" or "Affiliated College" includes any collegiate institution affiliated to or maintained by the Moslem University.
- (b) The expression "the Government" means the Governor-General in Council.
- (c) The expression "the University," "the Act of incorporation" and the expressions denoting any University authorities or officer or any Statute, Bye-Law, Regulation, or Rule of the University, shall be construed with reference to the said Moslem University.

### INCORPORATION.

Section 4.—The University shall be deemed to have been incorporated for the purposes (among others) of making provisions for the education and training of students and for the promotion of study, research and the formation of character of students.

### RECTORS.

Section 5.—There shall be Rectors of the University who shall be :—

- (a) *Ex-officio*.
- (b) Elected by the Court with the approval of the Chancellor.

### VISITORS.

Section 6.—Visitors shall be elected by the Court with the approval of the Chancellor.

### CONSTITUTION.

Section 7.—The authorities of the University shall be :—

- (1) The Chancellor.
- (2) The Vice-Chancellor.
- (3) The Pro-Vice-Chancellor.
- (4) The President and Vice-Presidents of the Court.
- (5) The Secretary of the Council.
- (6) The Court of Trustees.
- (7) The Council of Trustees.
- (8) The Provost.
- (9) The Senate.
- (10) The Syndicate.
- (11) The Faculties.

Section 8.—The authorities of the University are hereby created and henceforth shall be one body politic and corporate with perpetual succession and common seal by the name and style of "The Moslem University, Aligarh."

### THE POWERS OF THE UNIVERSITY.

Section 9.—The University shall have the following powers :—

- (1) To provide for instruction in such branches of learning as the University may think fit and also to make provision for research and for the advancement and dissemination of knowledge.
- (2) To hold examinations in accordance with the Regulations to be prescribed by the University.

(3) To grant and confer Degrees and other academic distinctions to ~~and upon~~ persons of either sex who shall have pursued an approved Course of Study in the University or in any of the institutions affiliated to or recognized by the University, and shall have passed the examination of the University under conditions laid down in Regulations.

(4) To confer Honorary Degrees or other distinctions on approved persons in accordance with the provisions in the Statutes and Regulations of the University.

(5) To affiliate or recognize other institutions upon such terms and conditions as shall be laid down in the Statutes and Regulations of the University.

(6) To examine and inspect educational institutions affiliated to or recognized by the University.

(7) To accept the examinations and periods of study passed by students of the University at other Universities or places of learning as equivalent to such examinations and periods of study in the University as the University may determine, and withdraw such acceptance at any time.

(8) To enter into alliance with any other University or educational institutions conducted on the same lines as this University.

(9) To co-operate with other Indian Universities or authorities for the conduct of Matriculation and other examinations, for the examination and inspection of schools and for other academic institutions and for the extension of the University teaching and influence in academic matters and for such other matters as the University may from time to time determine.

(10) To establish and to maintain Hostels and Boarding Houses for the residence of students.

(11) To levy such reasonable fee for entrance into the University and continuance therein, for admission to the examinations of the University, for attendance at any lectures or classes in connection with the University and for the Degrees to be conferred by the University, as may be imposed by the Regulations and Bye-Laws framed in this behalf under the provisions of this Act, or to remit the same, whole or in part.

(12) To institute Professorships, Lecturerships, Readerships, Teacherships, Demonstratorships, and any other offices created hereafter by the University and to appoint to such offices.

(13) To institute and award Fellowships, Studentships, Scholarships and prizes.

(14) To grant Diplomas or Certificates to persons who have pursued a course of study approved by the University under conditions laid down by the University.

(15) To provide such lectures and instruction for persons not members of the University as the University may determine.

(16) 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 object of the University as a Teaching and Examining Body, and to cultivate and promote Arts, Science and Learning.

#### CHANCELLOR.

Section 10.—The Viceroy and Governor-General of India shall be *ex-officio* Chancellor of the University.

#### VICE-CHANCELLOR.

Section 11.—(a) The Vice-Chancellor shall be elected by the Court from among its own members, subject to the approval of the Chancellor. He shall be the principal academic and executive officer of the University and shall act as *ex-officio* Chairman of the Council and the Senate and Secretary of the Court.

(b) The Vice-Chancellor, as Secretary of the Court, shall be the officer in whose name the University shall sue or be sued under the provisions of Section 6 of Act No. XXI of 1860, and who shall be authorised to enter into any agreement and to get it executed on behalf of the University, consistent with the interests of the University.

#### PRO-VICE-CHANCELLOR.

Section 12.—The Pro-Vice-Chancellor shall be elected by the Court with the previous consent of the Vice-Chancellor and shall act for him during his absence and shall perform such of the duties of the Vice-Chancellor as the latter may make over to him from time to time.

#### PRESIDENT AND VICE-PRESIDENTS OF THE COURT.

Section 13.—The President and Vice-Presidents of the Court shall be appointed by the Court from among its own members.

#### SECRETARY OF THE COUNCIL.

Section 14.—The Secretary of the Council of Trustees shall, with the previous consent of the Vice-Chancellor, be elected by the Court from among its own members, and shall hold office for such



period and subject to such conditions as may be specified in the Statutes and Bye-Laws.

#### SUPREME GOVERNING BODY.

Section 15.—(1) The Supreme Governing Body of the University shall be the Court of Trustees hereinafter called the Court, and, subject to the provisions of the Act and the Statutes of the University and the law of the country, the Court shall have absolute power within the University.

(2) No person other than a Moslem shall be a member of the Court.

(3) The Court shall have power by Statutes to add to or reduce the number of its members by increasing or decreasing the number to be nominated or appointed by the persons and bodies possessing the right of nomination or appointment or by adding representatives of other bodies, or in any other manner. The first members of the Court shall be the persons named in the first schedule to this Act.

(4) The Court shall have power to make, alter, add to, amend or repeal any Statutes by another Statute and the power of the Court to make Statutes shall not be limited by or with reference to the first or any subsequent Statutes or by the several matters therein dealt with.

(5) The constitution, power and business of the Court, the election and continuance in office of its members, the filling of the vacancies and all other matters relating to the Court shall be regulated by the Statutes and Bye-Laws.

Section 16.—The entire property of the University shall, subject to the provisions of this Act and the Statutes of the University, be vested in the Court which shall have power to acquire and hold property, movable or immovable, to transfer the same subject to the provisions of the Act and the Statutes and to do all other things in the interests of the University.

#### COUNCIL.

Section 17.—(1) The Council, as executive body of the Court, shall, subject to the control and supervision of the Court, have the custody and use of the common seal, the control and superintendence of the whole revenue and property of the University and the conduct of all such affairs as may be delegated to it by the Court.

(2) The power and constitution of the Council, the election and continuance in office of its members, the filling of vacancies

and all other matters relative to the Council shall be regulated by the Statutes and Bye-Laws of the University.

(3) The first members of the Council shall be the persons named in the first schedule of this Act.

#### PROVOST.

Section 18.—There shall be a Provost of the University appointed by the Court with such conditions and on such terms as may be prescribed by the Statutes and Bye-Laws.

#### SENATE.

Section 19.—(1) The Senate shall be the academic body of the University and shall subject to the Statutes of the University and the control and supervision of the Court, be in entire charge of the work of education and discipline in the University.

(2) The Senate shall consist of the Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor, the Provost, the Professors, the Wardens, the Librarian and the Registrar of the University and such other persons as may be specified by the Statutes of the University.

#### SYNDICATE.

Section 20.—The executive work of the Senate shall be vested in the Syndicate which shall consist of the Vice-Chancellor, the Pro-Vice-Chancellor, the Provost, the Deans of the Faculties, and such other members as may be specified in the Statutes.

#### FACULTIES.

Section 21.—(1) The University shall include the Faculties of Theology, Arts, Science, Oriental Learning and Law, but the Court on the recommendation of the Senate and the consent of the Chancellor, shall have the power to constitute a new Faculty or abolish or re-constitute any existing Faculty under the Bye-Laws and Regulations made in accordance with the provisions of this Act.

(2) The constitution and the powers of the several Faculties shall be determined by the Statutes and Regulations.

#### JOINT BOARD OF THE COUNCIL AND THE SENATE.

Section 22.—There shall be a Joint Board for the purpose of dealing with such matters as shall be referred to it under the provisions to be made in the Statutes in this behalf. It shall consist of such and so many members of the Council and the Senate as may be prescribed in the Statutes in this behalf.

### GUILD OF THE REGISTERED GRADUATES.

Section 23.—The Guild of the Registered Graduates of the University shall consist of such doctors and masters in any Faculty and such Graduates of not less than five years' standing, in any Faculty as may have their names on the University Roll, and the Guild shall be entitled to send such and so many representatives to the Senate and on such conditions as may be prescribed by the Statutes of the University.

### FUNDS OF THE UNIVERSITY.

Section 24.—(1) All Funds of the University shall be managed and expended according to the Statutes and Bye-Laws of the University.

### CAPITAL FUND.

(2) The Capital Fund, as defined in the Statutes, shall always remain permanent, and the Court or any other authority of the University shall, under no circumstances, sell or expend any portion thereof, or convert any property, once invested in any one of the Securities specified in the Statutes and Bye-Laws of the University, into any other Securities, unless sanctioned by a majority of three fourths of the members voting; but the income derived from the Capital Fund shall form part of the University Current Expenses Fund as defined in the Statutes of the University.

(3) The accounts of the income and expenditure of the University shall be audited once every year by some recognized firm of Auditors.

### EXAMINERS AND EXAMINATIONS.

Section 25.—All examinations held by the University shall be conducted in accordance with the Statutes and Regulations of the University provided that at least one external and independent examiner shall be appointed by the faculties for each subject or group of subjects forming part of the course of studies required for the University degrees.

### UNIVERSITY OPEN TO ALL.

Section 26.—The University shall be open to all castes and creeds, but provision for instruction and examination in Theology and Religion shall be made for Muhammadans only.

### GENERAL PROVISIONS.

Section 27.—Degrees, Diplomas and Certificates and other academic distinctions granted or conferred by this University shall

have, in the recognition of the Government, the same force and value as those conferred by the Government Universities in India.

### STATUTES, BYE-LAWS AND REGULATIONS.

Section 28.—1 In this Act "Statutes" means the Statutes set forth in the second schedule and any Statutes altering, amending, adding to or repealing the same or any of them which may hereafter be made by the Court and not vetoed by the Chancellor under the provisions laid down in the Statutes in this behalf. \*

2 "Bye-Laws" means the rules made, pursuant to this Act and the Statutes, by the Court and the Council and not vetoed by the Chancellor.\*

3 "Regulations" means the rules made by the Senate and approved by the Council and the Chancellor, pursuant to the Act, Statutes and Bye-Laws.

### RULES.

Section 29.—The Court, the Council, the Senate, the Syndicate and the Faculties respectively may, from time to time, make Rules, subject to the provisions of this Act and the Statutes of the University, for their respective needs and purposes.

### UNIVERSITY OPEN TO WOMEN.

Section 30.—All Degrees and Courses of Study shall be open to women subject to such conditions as the regulations of the University may prescribe.

### AMALGAMATION OF THE M.A.-O. COLLEGE, ALIGARH, WITH THE MOSLEM UNIVERSITY.

Section 31.—(1) From and after the passing of this Act the M.A.-O. College shall cease to exist as a separate corporation and shall be incorporated with the University and all property, real and personal, of every description (including things in action and the right to receive and give good discharges for any grants or contributions which may have been voted or otherwise promised to the College) and all rights and powers and privileges of the College, which on, or immediately before, the passing of this Act belonged to or were vested in the College shall by virtue of this Act without

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\*Cp. Sec. 142 of the present Regulations of the Aligarh College.

\* Whenever any motion for the repeal, amendment of, or addition to any of the Rules and Regulations of this Code has been carried by the Trustees under Rule 116, a copy of such motion shall be submitted through the Director of Public Instruction to the Local Government, which shall have power to veto the motion if it considers that the proposed repeal, amendment, or addition will be injurious to the interests of the College."

any conveyance, assurance or other instrument be transferred to and become vested in the University for all the estate and interest therein respectively of the College and shall be applied to the objects and purposes for which the University is incorporated. Provided that notwithstanding anything contained in this Act the buildings which belonged to the College may continue to be known and designated by the name and style they were known and designated at the date of the passing of this Act.

(2) From and after the passing of this Act all debts and liabilities of the College shall by virtue of this Act be transferred and attached to the University and shall thereafter be discharged and satisfied by the University.

(3) All agreements, awards, contracts, deeds and other instruments and all actions and proceedings and causes of action or proceedings which immediately before the commencement of this Act were existing or pending in favour of or against the College shall continue and may be carried into effect, enforced and prosecuted by or in favour of or against the University to the same extent and in like manner as if the University had been party to or interested in the same respectively.

(4) All Professors and other members of and persons attached to the teaching staff of the college and all salaried and paid officers or servants of the College shall hold as nearly as practicable the same offices and places in the University as they held in the College immediately before the passing of this Act and upon the same terms and conditions, unless and until the Council of the University shall otherwise decide.

The Council shall determine "the offices and places in the University" mentioned above.

(5) Any power or right of the College to appoint or nominate a member of the governing body of any educational, charitable or other institution, committee or association, shall from and after the passing of this Act be transferred to and may be exercised by the Court of the University.

(6) Any will, deed or other document, whether made or executed before or after the passing of this Act, which contains any bequest, gift or trust in favour of the College shall on and after the passing of this Act be read and have effect as if the University were therein named instead of the College.

(7) The costs, charges and expenses of and incidental to preparing, obtaining and passing of this Act shall be defrayed by the University out of the capital or income of the property by this Act transferred to, or out of any other moneys belonging to, the University as the Council of the University may determine.

# The Statutes.

## CHAPTER I.

### PRELIMINARY.

1. In these Statutes :—

‘ University ’ means the Moslem University, Aligarh

‘ Act ’ means the Moslem University Act.

‘ Court ’ means the Court of the Trustees of the University.

‘ Council ’ means the Council of the Trustees of the University.

‘ Senate ’ means the Senate of the University.

‘ Faculty ’ means a faculty of the University.

‘ Guild ’ means the Guild of the Registered Graduates.

‘ Chancellor,’ ‘ Vice-Chancellor,’ ‘ Pro-Vice-Chancellor,’ ‘ President and Vice-Presidents of the Court,’ ‘ Secretary of the Council ’ ‘ The Provost ’ and ‘ Deans of Faculties ’ mean respectively the Chancellor, Vice-Chancellor, Pro-Vice-Chancellor, President and Vice-Presidents of the Court, Secretary of the Council, the Provost and Deans of Faculties of the University.

‘ Statutes ’ means the Statutes of the University.

‘ Bye-Laws ’ means the bye-laws of the University.

‘ Regulations ’ means the regulations of the University.

‘ Graduate ’ means a Graduate of the University.

‘ Undergraduate ’ means a Matriculated student of the University.

‘ Professor ’ means Professor appointed to be such in the University.

‘ Lecturer ’ means Lecturer appointed to be such in the University.

‘ Reader ’ means Reader appointed to be such in the University.

‘ Librarian ’ means Librarian of the University.

‘ Registrar ’ means Registrar of the University.

‘ Financial year ’ means the yearly period for which the accounts and financial affairs of the University are for the time being made up, arranged and calculated.

‘ Auditor ’ means Auditor of the University Accounts.

2. These Statutes shall be interpreted in such manner as not to conflict with the Act.

3. Words defined in the Act or the Statutes shall have the same meaning in the Bye-Laws and the Regulations unless the context be repugnant thereto.

## CHAPTER II.

### THE MEMBERS OF THE UNIVERSITY.

1. The following persons shall be members of the University :—

(1) Officers of the University, *viz.*, the Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor, the President of the Court, the Vice-Presidents of the Court, the Secretary and the Assistant Secretary of the Council, the Provost, the Deans of the Faculties, the Registrar and the Librarian.

(2) The members of the Court.

(3) The members of the Council.

(4) The members of the Senate.

(5) The members of the Faculties.

(6) Professors, Wardens, Lecturers, Readers and Demonstrators.

(7) The Graduates.

(8) The Undergraduates.

2. Membership of the University shall continue so long as one, at least, of the qualifications above enumerated, shall continue to be possessed by the individual.

## CHAPTER III.

### THE CHANCELLOR.

1. The Viceroy and Governor-General of India shall be *ex-officio* Chancellor of the University.

2. The Chancellor shall by virtue of his office be the head of the University.

3. The Chancellor if present shall preside at the Convocation of the University for the conferring of Degrees.

4. The Chancellor shall have power to nominate five members of the Senate.

5. The Chancellor shall have power to appoint Rectors and Visitors on the recommendation of the Court.

6. The Chancellor shall have power to enquire into every matter relating to the University and give such advice to the Trustees as he may deem fit about the improvement, management and welfare of the University. It shall be the duty of the Court to take such advice into consideration and either act upon it or record their reasons for abstaining from so doing.\*

7. The Chancellor shall have power to call upon the Court, from time to time, for information, with the view of satisfying himself that the staff of the University is sufficient and fit for the educational requirements of the students. If, on the receipt of such information, he deems any member of the staff to be incompetent and unsuitable, he shall have power to ask for a report from the Court about the person concerned. If, on the receipt of such report, he is satisfied about the desirability of his removal, he may require the Court so to do.†

8. The Chancellor shall have power to institute any enquiry with a view to ascertaining whether the provisions of the laws of the University for the time being in force are duly complied with, and, if not, to compel the members to comply with them.‡

9. The Chancellor shall have power at any time and in any way to call for and examine the accounts of the University or of any Branch or Department thereof.§

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\*Cp. the present Regulations of the Aligarh College, Section 41.

"The Patron of the College may inquire into every matter relating to the College and give such advice to the Trustees as he may deem fit about the improvement, management, and welfare of the College. It shall be the duty of the Trustees to take such advice into consideration, and either act upon it, or record their reasons for abstaining from so doing."

†Cp. the present Regulations of the Aligarh College, Section 144.

"It shall be within the power of the Local Government to call upon the Trustees, from time to time, for information, with the view of satisfying itself, that the College staff is sufficient and fit for the educational needs of the students at the College, and to require the Trustees to remove any member of the College staff who, on receipt of such information, appears to the Local Government to be incompetent."

‡Cp. the present Regulations of the Aligarh College, Section 139.

"The Government shall have power to institute any inquiry with a view to ascertaining whether the provisions of the laws of the College for the time being in force are duly complied with, and, if not, to compel the Trustees to comply with them."

§Cp. the present Regulation of the Aligarh College, Section 138.

"The Government shall have power at any time and in any way to call for and examine the accounts of the College, or of any Branch or Department thereof."



10. The Annual Budget Report prepared by the Council and sanctioned by the Court shall be submitted to the Chancellor and shall contain the following particulars:—

- (a) The total amount of the Capital Fund in the hands of the University whether Promissory Notes or otherwise and in whose custody the monies and securities are kept.
- (b) The total sum of money in the hands of the University under the Scholarship, Studentship and Fellowship Funds and in whose custody the monies and securities are kept.
- (c) Besides the above items, the total sum received by the University for other purposes and in whose custody these sums or securities are kept.
- (d) A statement showing the condition of the books in the University Library and the certificate of the officers who may have examined them at the close of the year.
- (e) A list of the immovable property belonging to the University accompanied by a statement showing the number of the newly-erected buildings and the condition of those already built, whether they require any repairs or not, together with other necessary details.
- (f) The amount, if any, of the debt incurred by the University and the reasons thereof, and the means of its re-payment.
- (g) A list of the names with residence of the members of the University holding office at the end of the year.\*

\*Cp. the present Regulations of the Aligarh College, Section 146.

"The Annual Budget Report prepared by the Secretary and sanctioned by the Trustees shall be submitted through the Director of Public Instruction to the Government for its information, and shall contain the following particulars:—

- "(a) The total amount of the Capital Fund in the hands of the Trustees of the College, whether in Promissory Notes or otherwise, and in whose custody the monies and securities are kept ;
- "(b) The total sum of money in the hands of the Trustees of the College under the Scholarship Fund, and in whose custody the monies and securities are kept ;
- "(c) Besides the above items the total sum received by the College for other purposes, and in whose custody these sums or securities are kept ;
- "(d) A statement showing the condition of the books in the College Library and the certificate of the officer who may have examined them at the close of the year ;
- "(e) A list of the immovable property belonging to the College, accompanied by a statement showing the number of newly-erected buildings and the condition of those already built, whether they require any repairs or not, together with other necessary details ;
- "(f) The amount, if any, of the debt incurred by the College, and the reasons therefor, and the means for its repayment ;
- "(g) A list of the names with residence of the Trustees holding office at the end of the year."

#### CHAPTER IV.

##### RECTORS AND VISITORS.

1. A Rector or a Visitor may visit the University either formally or informally. When a Rector or a Visitor gives notice to the Vice-Chancellor of his intention to pay a formal visit to the University he shall be received in a manner befitting his rank.

2. In case of a visit of a Rector, a meeting of the members of the University shall be convened in the University Hall, when an Address shall be presented to him on behalf of the Court.

3. Rectors and Visitors may inspect the various Departments of the University and give such advice as they deem fit with regard to the general welfare of the University.

4. The Heads of the Local Governments shall be *ex-officio* Rectors of the University.

5. Rectors and Visitors shall be supplied with the University Calender, copies of the proceedings of the meetings of the Court and the Senate and such other papers connected with the work of the University as may be printed and published.

#### CHAPTER V.

##### THE VICE-CHANCELLOR.

1. The Vice-Chancellor shall be elected by the Court from among its own members, subject to the approval of the Chancellor.

2. The Vice-Chancellor shall hold office for three years, but shall be eligible for re-election.

3. The Vice-Chancellor shall be the principal academic and executive officer of the University, *ex-officio* President of the Council and the Senate and Secretary to the Court. He shall be the sole medium of communication between the University and the Chancellor.

4. In the absence of the Chancellor the Vice-Chancellor shall preside at the Convocation of the University for the conferring of Degrees.

5. The Vice-Chancellor shall submit to the Court an annual report on the general working of the University according to the Bye-Laws framed in this behalf.

6. It shall be the duty of the Vice-Chancellor to see that all the Statutes, Bye-Laws and Regulations of the Court, the Council and the Senate for the government of the University are faithfully observed.

7. In cases of emergency in which the Vice-Chancellor be of opinion that immediate action is necessary in the interest of the University and in which it may not be practicable to obtain the previous sanction of the Council or the Court, the Vice-Chancellor shall have the power to do, on behalf of the Court and the Council, any act or acts which those bodies themselves might lawfully do, and may, for the purpose of such act or acts, incur, on behalf of the Court or the Council, any expenditure which he may deem requisite,

Provided that :—

- (a) in any such case the Vice-Chancellor shall, as soon as may be practicable or at the latest in the then next meeting of the Court or the Council, submit to the Court or the Council a detailed report of the circumstances in, and the reasons on, which he has so acted.
- (b) The Vice-Chancellor shall have no power to act under this section in matters which may be exempted by the Court from the operation of this section.

#### CHAPTER VI.

##### PRO-VICE-CHANCELLOR.

1. The Pro-Vice-Chancellor shall be elected by the Court on the recommendation of the Vice-Chancellor and shall hold office for two years but shall be eligible for re-election.
2. He shall officiate for the Vice-Chancellor during his absence.
3. If the office of Vice-Chancellor fall vacant and an interval occurs before the appointment of a new Vice-Chancellor the Pro-Vice-Chancellor shall discharge the duties of the Vice-Chancellor during such an interval.
4. The Pro-Vice-Chancellor shall perform such of the duties of the Vice-Chancellor as the latter may make over to him from time to time.

#### CHAPTER VII.

##### THE PRESIDENT AND VICE-PRESIDENTS OF THE COURT.

1. The President shall be elected by the Court from among its own members.
2. There shall be as many Vice-Presidents elected from among the members of the Court as may from time to time be determined by the Court.

3. The President and Vice-Presidents shall hold office for three years and shall be eligible for re-election.

4. The President shall preside at all meetings of the Court. In his absence the senior Vice-President present may preside ; and in case none of the Vice-Presidents be present, the members present at any meeting may elect a Chairman from among themselves.

#### CHAPTER VIII.

##### SECRETARY AND MEMBERS OF THE COUNCIL.

1. The Secretary of the Council shall, on the recommendation of the Vice-Chancellor, be elected by the Court from among its own members with such duties and powers as may be laid down in Bye-Laws to be framed in this behalf. He shall hold office for a period of two years but shall be eligible for re-election. He shall be *ex-officio* member of the Senate.

2. The Council shall appoint one of its members as Education Member, who shall be *ex-officio* member of the Senate, the Syndicate and all the Faculties of the University.

3. The Council shall appoint one of its members as Finance Member, who shall be *ex-officio* member of the Senate and Syndicate.

#### CHAPTER IX.

##### OTHER OFFICERS OF THE UNIVERSITY.

###### *The Provost.*

1. (a) The Provost shall be appointed by the Court upon such terms as the Court may determine and with such powers as may be prescribed in the Bye-Laws and Regulations to be framed in this behalf.

(b) The Provost shall be *ex-officio* member of the Senate, the Syndicate and all the Faculties.

###### *Wardens.*

2. (a) The Wardens shall be the heads of the hostels or colleges. They shall be appointed by the Court upon such terms as the Court may determine and with such powers as may be prescribed in the Bye-Laws and Regulations to be framed in this behalf.

(b) The Wardens shall be *ex-officio* members of the Senate.

(c) The Wardens shall be responsible for internal discipline in hostels or colleges.

###### *Professors.*

3. (a) Professors shall be appointed by the Court on the recommendation of the Syndicate and the Council according to the Bye-Laws and Regulations to be framed in this behalf.

(b) The Professors shall be *ex-officio* members of the Senate and of the Faculty to which they may be assigned by the Senate.

*Honorary Professors.*

4. (a) The Court shall have power on recommendation of the Syndicate and the Council to confer the title of Honorary Professors upon any fit and suitable person on such conditions and with such privileges as may be prescribed in the Bye-Laws and Regulations in this behalf.

(b) Such Honorary Professors shall be *ex-officio* members of the Senate.

*Registrar and Librarian.*

5. (a) The Court shall, upon the recommendation of the Syndicate and the Council, appoint a Registrar and a Librarian with such duties and at such remuneration and upon such terms and conditions as it shall deem fit.

(b) They shall be *ex-officio* members of the Senate.

*Assistant Secretary of the Court and Council.*

6. The Court shall, upon the nomination of the Secretary of the Council and recommendation of the Vice-Chancellor, appoint an Assistant Secretary with such duties and at such remuneration and upon such terms as it shall deem fit.

CHAPTER X.

THE COURT.

1. The following shall be members of the Court :—

*Class I.—Life Members.*

(i) All persons holding the office of the Trustee of the M. A.-O. College, Aligarh, at the time of the commencement of the Act.

*Class II.—Members for Five Years.*

(i) Thirty persons to be elected by the Court, five of whom shall be *Ulama*. Provided that not more than six shall be elected in any one year one of whom shall be an *Alim*.

(ii) Twenty persons to be elected by the Central Standing Committee of the All-India Muhammadan Anglo-Oriental Educational Conference from among its own members. Four shall be elected every year.

(iii) Twenty persons to be elected by the M. A.-O. College Old Boys' Association from among its own members. Four shall be elected every year.

- (iv) Five persons to be elected by the Islamia College Committee, Lahore.
  - (v) Ten persons to be elected from among themselves by the Indian Moslem Graduates of any University and Muhammadan Barristers-at-Law and the members of the Inns who shall have their names enrolled on the register of the University according to the Bye-Laws to be framed in this behalf. Provided that not more than two shall be elected in one year.
  - (vi) Fifteen persons to be elected by such Moslem landowners (from among themselves) as pay to the University Fund one pie in the rupee upon the revenue payable by them to the Government, provided that the sum paid by each is not less than Rs. 25 a year according to the Bye-Laws to be framed in this behalf.
2. No one shall be a member of the Court who is under the age of 25 or who is a paid servant of the University.
3. In the event of the death or resignation of any member for life included in clause I, sub-clause (i), the Court may elect some fit person who shall hold office for five years. But the total number of members of the Court, elected under this clause together with those under class II., sub-clause (i), shall not exceed one hundred.
4. Where members of the Court comprised within any of the classes aforesaid have not been named in the First Schedule to this Act, they shall be appointed or elected in accordance with this clause as soon as may be after the date of this Act, but pending such appointment or election, the members of the Court already named, appointed or elected shall have full power to act as if the Court were fully constituted.
5. The office of the member of the Court shall be considered as vacant in the following circumstances :—
- (a) Whenever any person appointed as a member of the Court resigns or dies or permanently leaves India provided that members, who in the opinion of the Court, settle in England for the purpose of serving the cause of the community may be exempted from the operation of this rule.
  - (b) If any member, after having accepted the office of a member of the Court, does not for two successive years evince any interest for the promotion of the objects of the University and refrains from even answering the papers sent to him for votes and other purposes.

such member shall be deemed to have resigned his office as a member of the Court.

- (c) Should a member of the Court be found to act against the interest of the University, he may be removed from the list of the members by a simple majority of votes at any Annual Meeting of the Court.
- (d) Whenever a member is convicted by a Court of Justice of any criminal offence, of corruption, perjury, forgery or other misconduct, which in the opinion of the Court, to be declared at any meeting as soon as may be practicable after such conviction, renders him unfit for his office, or evades a judicial investigation into any charge of such offence, or becomes personally incapable to act in the trust ; or the Court be of opinion to remove him from the office of the membership of the Court for any other reason, under all these circumstances he will be removed by a simple majority of the members of the Court.

#### CHAPTER XI.

#### POWERS OF THE COURT.

1. The Court shall exercise all the powers and authority of the University consistent with the provisions of the Moslem University Act, and powers given by Statutes or otherwise to other bodies shall be deemed to have been delegated to such bodies subject to the general supervision and control of the Court to be exercised through the Council.

2. The Court shall have the following powers :—

- (a) To make, alter, add to, amend, or repeal Statutes, whenever it may deem fit so to do according to the Bye-Laws to be framed in this behalf.
- (b) To exercise control over the Senate, the Syndicate, the Faculties, and other bodies through the Council, and over the Council in accordance with the Statutes and Bye-Laws.
- (c) To take action under Chapter X, clause 5.
- (d) To manage through the Council all lands and other properties belonging to, or in the charge of, the University.
- (e) To consider and sanction at their Budget Meeting every year the report of the Senate as to the strength and

qualifications of Professors, Teachers, Lecturers and other officers connected with the teaching and discipline of the University, which shall be submitted to the Court through and with the opinion of the Council.

- (f) To determine from time to time, upon the recommendation of the Council, the number of other officers necessary for other offices connected with the various branches of the University.
- (g) To determine, on the recommendation of the Council, the total sum to be spent on Fellowships, Studentships, Scholarships, Debts of Honour and Prizes.
- (h) To consider and pass the Budget of income and expenditure for the next year prepared and submitted by the Council.

#### CHAPTER XII.

##### MEETINGS OF THE COURT.

1. The Court shall hold a Budget Meeting at least one month before the termination of the University financial year and other meetings according to the Bye-Laws framed in this behalf.

2. A meeting of the Court shall be convened at any time in accordance with Bye-Laws framed in this behalf, upon the receipt by the Vice-Chancellor of a requisition in writing signed by not less than 25 members of the Court, such requisition to state the business which the signatories desire to be brought before such meeting, and the belief of the signatories that such business is urgent.

3. All meetings of the Court shall be held at Aligarh in the Moslem University buildings.

4. At all meetings of the Court fifteen members, including the Chairman, shall form a quorum.

5. At any meeting of the Court the members may send their votes in writing. Written votes sent in by members relating to any matter to be brought before any meeting of the Court shall be counted as valid. Bye-Laws shall prescribe the procedure to be adopted in the case of written votes.

#### CHAPTER XIII.

##### THE COUNCIL.

1. The Council shall consist of the following members :—

*Ex-officio members.*

- (a) The Vice-Chancellor.
- (b) The Pro-Vice-Chancellor.
- (c) The Secretary of the Council.



*Elected members.*

- (a) Not less than 15 and not more than 21 members to be elected by the Court from among its own members according to the Bye-Laws to be framed in this behalf. Such members shall hold office for 3 years but shall be eligible for re-election.
2. The members of the M. A.-O. College Syndicate at the date of the commencement of passing the Act shall be deemed to be the first elected members of the Council.
3. (a) At or about the end of the first and the second year from the date at which the University may come into existence, as nearly as may be, one-third of the first elected members of the Council to be determined by lot shall cease to be members of the Council, but they shall be eligible for re-election.  
(b) The first elected members of the Council who have not previously vacated their office shall cease to be members of the Council at or about the end of the third year from the date at which the University may come into existence.
4. Five members of the Council shall form a quorum.
5. For meetings of the Council, written votes shall not be valid and the Council shall hold its meetings according to the Bye-Laws to be framed in this behalf.

CHAPTER XIV.

DUTIES OF THE COUNCIL.

Subject to the provisions of the Act and the Statutes of the University the duties of the Council shall be :—

1. To supervise the work of the Senate and to control and administer other departments of the University according to Bye-Laws and Regulations to be framed in this behalf.
2. To administer all trusts and endowments vested in and to manage all properties belonging to the University according to the Bye-Laws.
3. To keep the accounts of all kinds of income and expenditure of the University.
4. To prepare the Annual Financial Statement and Budget of the University and to submit it to the Court according to the Bye-Laws.
5. To make adequate provision for buildings, premises, furniture, apparatus and other requirements of the University.

6. To have the accounts of the University, in all its departments, properly audited at least once a year.

7. To consider and make such reports, suggestions and recommendations, as may be necessary, on all proposals made by the Senate and requiring sanction of the Court.

3. Generally to perform all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of the Act and the Statutes and Bye-Laws and Regulations framed under any resolution or direction of the Court.

#### CHAPTER XV.

#### POWERS OF THE COUNCIL.

Subject to the provisions of the Act of Incorporation and the Statutes of the University and subject to the revision and control of the Court, the Council shall have the following powers :—

1. To draft Statutes and Bye-Laws as and when they see fit and to submit the same to the Court for consideration and sanction.

2. To consider and approve Regulations framed and submitted by the Senate.

3. To appoint Committees for the supervision and management of such departments of the University that are not under the control of the Senate subject to the Bye-Laws to be framed in this behalf.

4. To entrust supervision of any or every department of the University to one or more of its own members who shall act under the direct control of the Council according to the Bye-Laws framed in this behalf.

5. To manage and regulate finance, accounts, investments, properties and to transact other business of the University according to the Bye-Laws to be framed in this behalf.

6. To appoint Bankers, Treasurers and Auditors upon such terms and remuneration and other conditions as it may deem fit.

#### CHAPTER XVI.

#### THE SENATE.

1. The Senate shall consist of the following members :—

*Class I.—Ex-officio Members.*

- (1) The Chancellor.
- (2) The Vice-Chancellor.
- (3) The Pro-Vice-Chancellor.

- (4) The Secretary for Education to the Government of India.
- (5) Members of the Council in charge of Education.
- (6) Secretary of the Council.
- (7) Finance Member of the Council.
- (8) The Provost of the University.
- (9) The Professors and Wardens of the University.
- (10) The Librarian.
- (11) The Registrar.
- (12) The Principals of the affiliated Colleges.
- (13) The Head Masters of the University Schools.

*Class II.—Nominated Members.*

- (1) Five members to be nominated by the Chancellor.
  - (2) Five members to be nominated by the Court.
  - (3) Five members to be nominated by the Guild of the Registered Graduates.
  - (4) Two members to be elected by the faculty of Theology, one by the faculty of Arts, one by the faculty of Science, one by the faculty of Oriental Learning, one by the faculty of Law and one by each of such other faculties as may subsequently be constituted.
2. The nominated members shall hold office for three years.
  3. Eleven members of the Senate shall form a quorum.

CHAPTER XVII.

POWERS OF THE SENATE.

The Senate shall have the following powers :—

- (1) To arrange and supervise the work of education and training in the University according to Regulations framed in this behalf.
- (2) To make regulations regarding the courses of studies upon the report of the various faculties.
- (3) To make and submit to the Council, after report from the various faculties and officers concerned, all Regulations for giving effect to the Statutes and Bye-Laws of the University relating to courses of study and maintenance of discipline.

- (4) To prepare a scheme for the educational and tutorial staff of the University and submit it, through the Council, to the Court for approval and sanction.
- (5) To recommend from time to time to the Court, through the Council, the creation of new posts in the educational and tutorial staff of the University.
- (6) To frame Regulations and Rules for conducting examinations and conferring degrees.
- (7) To appoint Inspectors with the approval of the Council for inspecting affiliated and recognised institutions and institutions applying for affiliation or recognition.
- (8) On the report from the board or boards of the faculties concerned to appoint moderators and examiners subject to the approval of the Chancellor, according to the Regulations in this behalf.
- (9) To remove examiners for negligence or misconduct during their term of office and to appoint their substitutes.
- (10) To fix the fees, emoluments, travelling and other allowances of the examiners, moderators and inspectors.
- (11) To order examinations in conformity with the Regulations and to fix dates for holding them.
- (12) To declare results of the various University examinations, and to confer Degrees, Honours, Diplomas, Licenses, Titles and marks of honour according to the Regulations made in their behalf.
- (13) All decisions of the Senate as regards matters of discipline of students shall be final.
- (14) To report on any matter referred to or delegated to them by the Court or the Council.
- (15) To discuss and declare an opinion on any matter whatsoever relating to the University.
- (16) To formulate and modify or revise, subject to the control and sanction of the Council, schemes for the organisation of the various faculties of the University and to assign to such faculties their respective subjects ; also to report to the Council as to the expediency of the establishment at any time of other faculties, or as to the expediency of the abolition, combination, or sub-division of any existing faculties.
- (17) To fix, subject to any conditions made by the founders, which are accepted by the Court, the times and mode and

condition of competition for Fellowships, Studentships, Scholarships, medals and other prizes, and to award the same according to the Regulations made in their behalf.

- (18) To recommend to the Council the names of the recipients of the Honorary Degrees.
- (19) To prescribe academic costumes for members of the University.
- (20) To do such other acts and things as may be required by the Council or authorized by the Court.

#### CHAPTER XVIII.

#### SYNDICATE.

1. The Syndicate shall consist of :—
  - (a) Vice-Chancellor.
  - (b) Pro-Vice-Chancellor.
  - (c) The Education Member of the Council.
  - (d) The Finance Member of the Council.
  - (e) The Provost.
  - (f) The Deans of all the Faculties.
  - (g) The Principals of Affiliated and University Colleges.
  - (h) Two members to be elected by the Senate.
2. Elected members shall hold office for three years or until they cease to be members of the Senate, whichever event happen first. They shall be eligible for re-election.
3. The election to fill up vacancies in the Syndicate shall be held at the annual meeting of the Senate. In the event of a casual vacancy owing to death, resignation or otherwise, the members of the Syndicate shall appoint a member of the Senate to act as member of the Syndicate until the then ensuing annual meeting of the Senate.
4. The Syndicate shall meet before every meeting of the Senate, on a day to be fixed by the Vice-Chancellor or Pro-Vice-Chancellor. The meeting which precedes the annual meeting of the Senate shall be deemed the annual meeting of the Syndicate.
5. At all meetings of the Syndicate five members inclusive of the Chairman shall form a quorum.
6. At all meetings of the Syndicate the Vice-Chancellor or Pro-Vice-Chancellor shall preside. If they be absent or withdraw from the meeting the members present shall elect a Chairman from among themselves.

CHAPTER XIX.

POWERS OF THE SYNDICATE.

Subject to the revision and control of the Senate, the Syndicate shall have the following Powers :—

- (1) To order examinations in conformity with the Regulations and to fix dates for holding them.
- (2) To declare the results of the various University examinations.
- (3) To publish list of prescribed or recommended text-books.
- (4) To prepare such forms and registers as are from time to time prescribed by regulations.
- (5) To perform all such duties and to do all such acts as may be necessary for the proper carrying out of the regulations and other resolutions of the Senate.

CHAPTER XX.

FACULTIES.

1. The University shall include the Faculties of :—
  - (1) Theology consisting of two Boards.
  - (2) Oriental Learning.
  - (3) Arts.
  - (4) Science
  - (5) Law.
  - (6) Such other Faculties as may from time to time be constituted by Statutes.
2. The Board of each Faculty shall consist of :—
  - (a) Such professors, lecturers or other members of the teaching staff of the University as the Court, after report from the Senate and Faculty concerned, may declare as *ex-officio* members of the Faculty.
  - (b) Such members of the Senate as may be assigned by the Senate to the Faculty.
  - (c) The members so assigned shall continue to be members of that Faculty so long as they continue to be members of the Senate.
3. The Vice-Chancellor, Pro-Vice-Chancellor, the Education Member of the Council and the Provost shall be *ex-officio* members of all Faculties.
4. The members of each Faculty shall elect one of their members to be Dean of that Faculty except the Faculty of Theology

which shall have one Dean for each of its two Boards subject to the approval of the Council. The Deans shall hold office for two years and shall be eligible for re-election.

5. At each meeting of the Faculty the Dean, or in the absence of the Dean, a member chosen by the members present, shall preside.

6. One-fourth of the total number of members of a Faculty shall constitute a quorum provided that in no case the number shall be less than three.

## CHAPTER XXI.

### POWERS OF THE FACULTIES.

Each Faculty shall have the following powers and privileges:—

(1) Subject to the Statutes and Regulations of the University each Faculty shall draw up courses of study and regulations as to Degrees, Diplomas, Certificates, Scholarships and Prizes falling within the Province of the Faculty and submit them to the Senate.

(2) To report to the Syndicate about the creation of new posts and to nominate persons for appointment to posts within the Province of the Faculty.

(3) To nominate Committees to consider and report on any subject of study or combination of such subjects.

(4) To submit the names of persons suitable for appointment as examiners and moderators.

(5) To deal with any matter which may be referred to them by the Senate.

## CHAPTER XXII.

### JOINT BOARD OF THE COUNCIL AND THE SENATE.

1. The Joint Board shall consist of the Vice-Chancellor, four Members of the Council and four Members of the Senate.

2. Four Members of the Council shall be :—

(1) Secretary to the Council.

(2) Pro-Vice-Chancellor.

(3) Finance Member of the Council.

(4) Member concerned or any other Member of the Council elected by the above three.

3. Four Members of the Senate shall be :—

(1) The Provost.

(2) The Dean of the Faculty or the Warden concerned.

(3) Two other Members to be elected by the Senate.

4. In case any of the members representing either side be unable to attend any meeting of the Board the remaining members of that side shall have power to elect a substitute.

5. The Vice-Chancellor or in his absence a person nominated by the Vice-Chancellor, shall be the Chairman of the Board. The person nominated by the Vice-Chancellor to act for him may or may not be a Member of the Board.

6. If any recommendation of the Senate is not approved by the Council and the Senate, after being informed of it, so requires, the matter shall be referred to the Joint Board.

7. The decision of the Joint Board shall be final so far as the Senate and the Council are concerned, subject to the veto of the Court which shall be exercised within one month from the date on which the Board shall communicate its decision to the Council according to the regulations to be framed in this behalf.

#### CHAPTER XXIII.

#### THE GUILD OF THE REGISTERED GRADUATES.

1. A register shall be kept by the Registrar containing the names of all such doctors, and masters in any Faculty and such graduates of not less than five years standing in any Faculty, who have paid the initial fee and such other amount as may be prescribed by Regulations.

The period of five years shall be reckoned from the day of Convocation on which a person is entitled to be admitted to his Degree.

2. The register shall be conclusive evidence that any person whose name appears therein at the time of claiming the privilege of voting is entitled to a vote and that any person whose name does not appear therein is not so entitled.

3. The Vice-Chancellor or in his absence the Pro-Vice-Chancellor, shall preside at the meetings of the Guild. In the absence of both the Provost shall preside.

4. A meeting of the Guild shall be summoned by the Vice-Chancellor at least once in every year and at such other times as the Guild by its own rules shall determine.

5. A meeting of the Guild may be called by the direction of the Vice-Chancellor and shall also be called on the requisition in writing of at least 20 members.

6. Twenty members shall form a quorum.

7. The minutes of the proceedings of the Court and the Senate shall be communicated to the members of the Guild.



8. Once in every year on such date as the Vice-Chancellor may appoint in this behalf, there shall, if necessary, be an election to fill any vacancy among the members of the Senate elected by the Guild.

9. The Guild shall be entitled to such further privileges as may be determined by the Regulations.

#### CHAPTER XXIV.

#### FUNDS OF THE UNIVERSITY.

1. Any money or movable or immovable property or Government Promissory Notes or other Securities, and any income arising therefrom which may be now or hereafter in possession of the University shall be divided into the following funds :—

- (a) The Capital Fund.
- (b) The Reserve Fund.
- (c) The Building and other Trust Funds.
- (d) The Current Expenses Fund.

2. The Capital Fund consists of such money or immovable property, or Government Promissory Notes, or other Securities as are in possession of the University, or may come into its possession with the object of their remaining permanent and safe in order that only the income arising from them may be devoted to the expenses of the University or for Fellowships, Studentships, Scholarships, Debts of Honour, prizes and other expenses of similar nature.

3. The Capital Fund shall always remain permanent and safe, and the Court shall under no circumstances sell or expend any portion of it or convert any property once invested in any one of the securities mentioned in paragraph 4 of this chapter into any other of such equally safe securities unless sanctioned by three-fourth voting majority of the Court.

4. Whatever money may be in the Capital Fund the Court shall invest it in Government Promissory Notes or Pensions held under grants in perpetuity as mentioned in Act XXIII. of 1871; or shares in the Bank of Bengal; or perpetual *muafi* land which after enquiry according to Act II. of 1819 and other laws for the time being in force, shall be proved to be exempt in perpetuity from the payment of Government Revenue. But the Court shall not have power to purchase any kind of property which is not as safe as those mentioned above.

5. If any person makes an endowment on the condition that it shall or shall not be invested in a particular manner and that

the income derived therefrom shall be devoted to any particular object or objects such condition or conditions shall be binding and the endowment shall be considered as a Trust not to be dealt with otherwise.

6. The Capital Fund consists at present of the following items :—

- (a) All land which is in the University compound and the buildings within the same, whether completed or under construction.
- (b) All Promissory Notes held now or purchased hereafter for the purpose.
- (c) All *jagirs* or permanent *yaumias* held now or obtained hereafter for the purpose.

7. The Court shall not take loans on the security of the Capital Fund.

8. If there be a surplus after the completion of any proposed building, and if the Council do not think it expedient to expend such surplus or any portion of it in the erection of other buildings, the Court shall place it in the Reserve Fund.

9. If there be such a surplus in the University Current Expenses Fund as appears to the Court unnecessary for defraying the Current University Expenditure, they may transfer such surplus or any part of it to the Reserve Funds.

10. The Court shall not withdraw in any way from the Reserve Fund such money as has been placed therein under paragraphs 8 and 9 unless sanctioned by a two-third voting majority of the Court in meetings held for the purpose, in the agenda of which meetings the Vice-Chancellor shall explain fully the necessity of doing so.

11. Out of the Reserve Fund thus created under paragraphs 8 and 9 above, any portion may from time to time be transferred by the Court, on the recommendation of the Council, to the Capital Fund. This portion shall then be invested in property of the kind specified in paragraph 4 above.

12. All money transferred from time to time to the Reserve Fund shall be invested in a safe way, to be determined by the Council, so as to yield a permanent income.

13. All incomes derived from Capital and Reserve Funds shall be considered as part of the University Current Expenses Fund, and the Court shall expend it subject to the provisions of paragraph 14.

14. The income arising from different Trust Funds and such Government Promissory Notes and rooms in the Boarding Houses,

as have been set apart for the creation of scholarships and prizes or for any particular object, shall be so spent in scholarships and prizes or those objects and the surplus, if any, shall be set aside for future expenditure in the same manner.

15. The Building and other Trust Funds consist of the following items :—

- (a) The money given by individuals or Government for the erection of buildings or any other particular object respectively.
- (b) Amount relating to the Depreciation on several buildings shall form separate items in the Building Fund and shall be spent on the up-keep of those buildings, unless the Court, on the recommendation of the Council, decide to spend any portion thereof on any other buildings.
- (c) Income derived from the printing and sale of books and placed in any of the Trust Funds.
- (d) All property obtained or set apart for buildings or other particular objects respectively.

16. The University Current Expenses Fund consists of the following items :—

- (a) The income derived from Government Promissory Notes and other Securities in the Capital Fund.
- (b) The income derived from all immovable property in the fund.
- (c) The income derived from any immovable property of the University not included in the Capital Fund.
- (d) The income derived from *jagirs* or permanent *yaumias*.
- (e) The money received from Government as grant-in-aid.
- (f) The money received from the Municipality or Local Fund as a grant.
- (g) The income derived from tuitional fees.
- (h) The money received as subscriptions for the current expenses or for scholarships, or prizes, provided that the money received for scholarships or prizes shall be spent as laid down in paragraph 14 of this chapter.
- (i) The money received from the sale of books and placed in the Current Expenses Fund.

17. The Trustees may take charge of money or movable or immovable property of the nature of land, *jagir* or zamindari or *muafi*

rights, for the purpose of educating persons at the request of parents, relations or guardians of such persons.

18. All persons making such deposits must settle with the Vice-Chancellor all the conditions in writing, under which such money or property is to be deposited and the time at which the deposit is to be returned and the person to whom it is to be returned, subject to the approval of the Council and sanction of the Court.

19. All such conditions shall be laid before a meeting of the Court and when the sanction of the Court has been obtained such money or property shall be taken under the charge of the Trustees. The Council may then make such arrangements as they think fit for the administration of the property or for the investment of the cash money thus entrusted to and deposited with the Trustees

#### CHAPTER XXV.

#### AFFILIATION.

1. The University shall affiliate such institutions only which shall be conducted on the Residential System, on the principle and model of the University College (the M.A.-O. College), Aligarh, and which shall have attained a standard and an efficiency that may be deemed satisfactory in accordance with the Regulations framed in this behalf.

2. All institutions situated outside Aligarh shall require for their affiliation recommendation of the Senate and sanction of the Chancellor, to be obtained according to the Regulations in this behalf.

#### CHAPTER XXVI.

#### EXAMINATIONS AND EXAMINERS.

1. The Matriculation or any other equivalent examination of the University shall be conducted by a Board of Examiners, consisting of the Provost, Professors, Lecturers and other persons appointed for this purpose by the Senate. The Provost shall be the Chairman of the Board.

2. For every University Examination prescribed by the Regulations for Degrees of the University there shall be a Board or Boards of Examiners, consisting of the Internal and External Examiners who are taking part in the conduct of the Examinations together with the Deans of the Faculty to which the Examination belongs.

3. The Dean of the Faculty shall be the Chairman of all such Boards of Examiners as belong to that Faculty.

4. The Provost shall be a Member of all the Boards of Examiners.

5. In each Board of Examiners there shall be at least one External Examiner who is a person not engaged in teaching in the University or in a College affiliated to it.

6. All the Internal and External Examiners shall be appointed by the Syndicate on the recommendation of the Faculties and the approval of the Chancellor. Provided that in case of a vacancy occurring in or during any examination or of other emergency, the Vice-Chancellor in consultation with the Provost and the Dean of the Faculty concerned, shall have power to appoint a substitute for that Examiner.

#### CHAPTER XXVII.

#### CONVOCATION.

1. Once in each year the Vice-Chancellor in consultation with the Chancellor shall fix a day for Convocation in which Degrees shall be conferred.

2. The Chancellor or, in his absence, the Vice-Chancellor shall preside at the Convocation.

#### CHAPTER XXVIII.

#### APPOINTMENTS.

1. (a) All appointments of the officers mentioned in Clauses 2, 3, 4 and 5 of Chapter IX. shall be made by the Court on the nomination of the Faculty concerned and the report of the Syndicate and the recommendation of the Council. The Provost will be appointed by the Court on the report of the Vice-Chancellor and the recommendation of the Council.

(b) In the event of a nominated candidate not being accepted by the Court another candidate may be nominated in accordance with provisions of this Section.

(c) If the person to be appointed be not in India and his appointment be urgently required in the interest of the University, then, in the case of the Provost, nomination by the Vice-Chancellor with the approval of the Council, and in the case of other officers, nomination by the Syndicate and the Vice-Chancellor with the approval of the Council, shall be regarded as equivalent to appointment by the Court.

(d) All these appointments shall be reported to the Chancellor who shall have power of veto.

2. The appointment of all the officers not mentioned in Chapter IX. and who are entitled to receive bonus, according to

the Bye-Laws made in this behalf, shall be made by the Council on the recommendation of the Syndicate, if the officer belongs to the Department under the direct supervision of the Senate, and on the recommendation of a member of the Committee of the Council, if the officer belongs to the Department not under the direct supervision of the Senate.

3. The appointments of the officers who are not entitled to honus shall be made by the Syndicate, if the officer belongs to the Department under the direct supervision of the Senate and shall be made by the Vice-Chancellor, if it belongs to any other Department.

4. The menial servants attached to a particular office shall be appointed by the holder of that office subject to the sanction of the Provost, if the office is under the direct supervision of the Senate and subject to the sanction of the Secretary of the Council if the office belongs to any other Department.

#### CHAPTER XXIX.

#### PROMOTIONS, REDUCTIONS AND DISMISSALS.

(1) The promotion, reduction and dismissal of the University officers and the servants of the University shall be effected in the same way as the appointments, except that the decision of the Court in the case of promotion, reduction and dismissal of the officers nominated in Chapter XX. shall be final.

Persons dissatisfied with any order of dismissal or punishment shall have right of appeal or revision, as the case may be, according to the Bye-Laws to be framed in this behalf.

#### CHAPTER XXX.

#### THE EUROPEAN STAFF.

1. In this Chapter the term European officer or European staff of the University shall mean those members of the University staff who are graduates of any of the European Universities.

2. There shall be, on the permanent staff of the University, at least six Europeans who shall be graduates of European Universities, *viz.*, the Provost and five Professors.

But in case of necessity any person who does not possess the above specified qualifications may be temporarily appointed to any of the above-mentioned posts.

3. All European officers who hold or may accept posts on the staff of the University shall be understood to have accepted all the terms specified in the Act, the Statutes and Bye-Laws, and similarly

the Court shall be considered to abide by them, and the rules contained in the Chapter shall be regarded as an agreement between the parties.

4. No officer shall be entitled to claim appointment to any particular office in the University.

#### CHAPTER XXXI. STATUTES.

1. The Court may from time to time, at their discretion, at an annual meeting, alter, repeal, amend or add to any of the Statutes mentioned herein, provided that—

- (a) Not less than two-thirds of the members of the Court voting in that meeting, agree to such alteration, repeal, amendment or addition.
- (b) Such alteration, repeal, amendment or addition is not vetoed by the Chancellor.\*

2. The Council shall prepare the draft of the proposed alteration, repeal, amendment or addition to the Statutes.

#### CHAPTER XXXII. BYE-LAWS.

1. Subject to the provision of the Act and the Statutes, Bye-Laws shall be made by the Council and they shall come into operation, if sanctioned by the Court, by a simple majority and not vetoed by the Chancellor.

2. On the recommendation of the Council, the Court may alter, repeal, amend or add to any of the Bye-Laws, by simple majority provided that such repeal amendment or addition is not vetoed by the Chancellor.

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\* Cp. Sec. 116 of the present Regulations of the Aligarh College.

“ The Trustees may, from time to time, at their discretion, at an annual meeting, repeal, amend or add to any of the laws and rules mentioned in this Code,

Provided that—

- (1) Not less than two-thirds of the Trustees agree to such repeal, amendment or addition ;
- (2) And that the Local Government does not veto such repeal, amendment or addition.”

CHAPTER XXXIII.  
REGULATIONS.

1. Subject to the provision of the Act, Statutes and Bye-Law: Regulations shall be made by the Senate and they shall come into operation, if sanctioned by the Council and approved by the Chancellor.

2. The Senate may from time to time, alter, repeal, amend or add to any of the Regulations provided that such alteration, repeal, amendment or addition is sanctioned by the Council and approved by the Chancellor.

3. If the Council does not sanction the alteration, repeal, amendment or addition of any Regulation or any other suggestion proposed by the Senate, the matter will be referred to the Joint Board, in the manner specified in Chapter XXII.

CHAPTER XXXIV.  
RULES.

1. The Court, the Council, the Syndicate and the Faculties respectively may from time to time make Rules for their conduct of business subject to the provisions of the Act, the Statutes, the Bye-Laws and the Regulations. The Rules so framed shall be subject to the sanction of the higher authority; that is to say, in case of the Council, the Court; in case of the Senate, the Council; in case of the Syndicate, the Senate; and in case of the Faculties, the Syndicate.

2. The bodies enumerated in Sub-section (1) shall also have power to amend, alter, add to and repeal the Rules framed by themselves, subject to the sanction of the higher authority as mentioned in Sub-section (1.)



# Constitution of the Moslem University

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