

**THE NORTH-EASTERN HILL UNIVERSITY ACT, 1973
(24 of 1973)**

AND

**THE STATUTES OF THE UNIVERSITY
(incorporating amendments upto March, 2004)**

**The North-Eastern Hill University Publications
SHILLONG**

FOREWORD

The North-Eastern Hill University Act (24 of 1973) passed by both Houses of Parliament received the assent of the President of India on May 26th, 1973. It was published in the Gazette of India (Extraordinary) on Saturday, May 26th, 1973 together with the First Schedule of the Act incorporating the Statutes of the University. Over the years not only have several amendments been made in these Statutes but new Statutes have also been added. This publication consisting of the Act and Statutes incorporating all the amendments made so far forms Volume I of the North-Eastern Hill University Calendar. Volume II will consist of the Ordinances, Regulations and Rules made under the Act and Statutes.

It is hoped that members of our University Community, other Universities and the general public will find the availability of these two volumes in book form useful.

I would like to place on record my sincere thanks to all those persons in the University, who were involved in the work of compiling the material to prepare it for publication.

(Mrinal Miri)

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THE SCHEDULE

THE NORTH-EASTERN HILL UNIVERSITY ACT, 1973

(24 of 1973)

An act to establish and incorporate a teaching and affiliating University for the hill areas of the North Eastern Region.

Whereas it is expedient to establish and incorporate a teaching and affiliating University for the benefit of the people of the hill areas of the North-eastern region and to develop the intellectual, academic and cultural background of the said people;

And whereas in pursuance of clause (1) of article 252 of the Constitution resolutions have been passed by the Legislatures of the States of Meghalaya and Nagaland to the effect that the setting up of a Central University for the hill areas of the North-Eastern region shall be regulated by Parliament by law:

Be it enacted by Parliament in the Twenty Fourth Year of the Republic of India as follows:-

- | | |
|---|---|
| Short title,
extent and
Commencement | <ol style="list-style-type: none">1. (1) This Act may be called the North-Eastern Hill University Act, 1973.(2) It extends to the States of Meghalaya and Arunachal Pradesh.¹(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.² |
| Definitions | <ol style="list-style-type: none">2. In this Act, and in all Statutes made hereunder, unless the context otherwise requires:<ol style="list-style-type: none">(a) “Academic Council” means the Academic Council of the University;(b) “Academic Staff” means such categories of staff as are designated as academic staff by the Ordinances; |

1. Sub-section (2) of Section 1 amended consequent upon the elevation of the erstwhile Union territories of Arunachal Pradesh and Mizoram to full-fledged statehood vide the State of Arunachal Pradesh Act 1986 and the State of Mizoram Act, 1986 respectively.

The words States of Meghalaya and Nagaland in sub-section (2) of section 1 have been amended consequent on the notification of the Nagaland University Act, 1989. With the establishment of Mizoram University the jurisdiction of NEHU over Mizoram also ceased (Mizoram University Act, 2000).

2. The North-Eastern Hill University Act received the assent of the President of India on 26th May, 1973 and was published in the Gazette of India (Extraordinary) on Saturday, May 26, 1973.

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- (c) “Board of Studies” means the Board of Studies of the University;
- (d) “Chancellor”, “Vice-Chancellor” and “Pro-Vice-Chancellor” mean respectively, Chancellor, Vice-Chancellor and Pro-Vice-Chancellor of the University ;
- (e) “College” means a College maintained by, or admitted to the privileges of the University ;
- (f) “Court” means the Court of the University;
- (g) “Department” means a Department of Studies, and includes a Centre of Studies;
- (h) “Employee” means any person appointed by the University, and includes teachers and other staff of the University;
- (i) “Executive Council” means the Executive Council of the University;
- (j) “Hall” means a unit of residence or of corporate life for the students of the University, College or Institution, provided, maintained or recognised by the University;
- (k) “Institution” means an academic Institution, not being a College, maintained by, or admitted to the privileges of the University;
- (l) “North-Eastern Region” means the North-Eastern region of India comprising the States of Meghalaya and Arunachal Pradesh¹ ;
- (m) “Principal” means the Head of a College or an Institution, and includes where there is no Principal, the person for the time being duly appointed to act as Principal, and in the absence of the Principal or the acting Principal, a Vice-Principal duly appointed as such;
- (n) “Recognised teachers” means such persons as are recognised by the University for the purpose of imparting instruction in a College or an Institution admitted to the privileges of the University;
- (o) “School” means a School of Studies of the University;
- (p) “Statutes”, “Ordinances” and “Regulations” mean respectively, the Statutes, Ordinances and Regulations of the University for the time being in force;

1. The words States of Meghalaya and Nagaland in sub-section (1) of section 2 have been amended consequent upon the notification of the Nagaland University Act. 1989.

With the establishment of Mizoram University the jurisdiction of NEHU over Mizoram also ceased (Mizoram University Act, 2000).

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(q) “Teachers of the University” means Professors, Readers, Lecturers and such other persons as may be appointed for imparting instructions or conducting research in the University or in any College or institution maintained by the University and are designated as teachers by the Ordinances;

(r) “University” means the North-Eastern Hill University.

- The University**
3. (1) There shall be established a University by the name of “North-Eastern Hill University”.
- (2) The headquarters of the University shall be at Shillong and it shall have campuses in the State of Meghalaya; it may also establish campuses at such other places within its jurisdiction as it may deem fit.¹
- (3) The first Chancellor and the first Vice-Chancellor and the first members of the Court, the Executive Council and the Academic Council and all persons who may hereinafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of “North-Eastern Hill University”.
- (4) The University shall have perpetual succession and a common seal, and shall sue and be sued by the said name.
- Objects**
4. The objects of the University shall be to disseminate and advance knowledge by providing instructional and research facilities in such branches of learning as it may deem fit; to pay special attention to the improvement of the social and economic conditions and welfare of the people of the hill areas of the North-Eastern region, and, in particular their intellectual, academic and cultural advancement.
- Powers of the University**
5. The University shall have the following powers, namely:-
- (1) to provide for instruction in such branches of learning as the University may, from time to time, determine and to make provision for research and for the advancement and dissemination of knowledge;
- (2) to make such academic steps as would contribute to the improvement of the economic conditions and welfare of the people of the hill areas of the North-Eastern region;

1. The words States of Meghalaya and Nagaland in sub-section (2) of section 3 have been amended consequent upon the notification of the Nagaland University Act, 1989.

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- (3) to grant, subject to such conditions as the University may determine, diplomas or certificate to, and confer degrees and other academic distinctions on the basis of examinations, evaluation or any other method of testing, on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;
- (4) to organise and to undertake extra-mural studies and extension services;
- (5) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;
- (6) to provide instruction, including correspondence and such other courses, to such persons as are not members of the University, as it may determine;
- (7) to institute principalships, professorships, readerships, lecturerships, and other teaching or academic posts required by the University and to appoint persons to such principalships, professorships, readerships, lecturerships or other posts;
- (8) to recognise persons for imparting instruction in any College or Institution admitted to the privileges of the University;
- (9) to appoint persons working in any other University or organisation as teachers of the University for a specified period;
- (10) to create administrative, ministerial and other posts and to make appointments thereto;
- (11) to co-operate or collaborate with any other University or authority in such manner and for such purposes as the University may determine;
- (12) to establish such campuses, centres, specialised laboratories or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;
- (13) to institute and award fellowships, scholarships, studentships, medals and prizes;
- (14) to establish and maintain Colleges, Institutions and Halls;
- (15) to admit to its privileges Colleges and Institutions not maintained by the University; to withdraw all or any of those privileges in accordance with such conditions as may be prescribed by the Statutes; and to recognise Halls not maintained by the University and to withdraw any such recognition;
- (16) to declare a College, an Institution or a Department as an autonomous College or an Institution or a Department, as the case may be;

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(17) to determine standards for admission into the University, which may include examination, evaluation or any other method of teaching;

(18) to demand and receive payment of fees and other charges;

(19) to supervise the residences of the students of the University and to make arrangements for promoting their health and general welfare;

(20) to make special arrangements in respect of women students as the University may consider desirable;

(21) to regulate and enforce discipline among the employees and students of the University and take such disciplinary measures in this regard as may be deemed necessary;

(22) to make arrangements for promoting the health and general welfare of the employees;

(23) to acquire, hold, manage and dispose of property, moveable or immovable, including trust and endowment properties for the purposes of the University;

(24) to borrow, with the approval of the Central Government, on the security of the property of the University, money for the purposes of the University;

(25) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.

Jurisdiction

6. (1) The jurisdiction of the University shall extend to the States of Meghalaya and Arunachal Pradesh.¹

(2) No college or Institution situated within the local limits of the jurisdiction of the University shall be compulsorily affiliated to the University and affiliation shall be granted by the University only to such Colleges or Institutions as may agree to accept the Statutes and Ordinances.

(3) Any College or Institution admitted to the privileges of the University shall cease to be associated with, or be admitted to the privileges of, any other University.

1. Sub-Section (1) of Section (6) as amended consequent upon the elevation of the erstwhile Union territories of Arunachal Pradesh and Mizoram to full-fledged Statehood vide the State of Arunachal Pradesh Act, 1986 and the State of Mizoram Act, 1986 respectively.

The words States of Meghalaya and Nagaland in sub-section (1) of section 6 have been amended consequent upon the notification of the Nagaland University Act, 1989.

With the establishment of Mizoram University the jurisdiction of NEHU over Mizoram also ceased (Mizoram University Act, 2000).

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(4) No College or Institution situated within the local limits of the jurisdiction of the University, but not admitted to its privileges, shall be associated with, or be admitted to the privileges of, any other University except, with the previous approval of the Government of the State in which, or the Administrator of the Union Territory in which, such College or Institution is situated.

University open to all classes, castes and creed

7. The University shall be opened to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatever of religious belief or profession in order to entitle him to be admitted therein, as a teacher or student, or to hold any office therein or to graduate thereat:

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the admission of students of the weaker sections of the people in the North-Eastern region and, in particular of the Scheduled Castes and the Scheduled Tribes.

Visitor

8. (1) The President of India shall be the Visitor of the University.
- (2) The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories and equipment, and of any College or Institution maintained by the University or admitted to its privileges; and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, Colleges or Institutions.
- (3) The Visitor shall, in every case, give notice of his intention to cause an inspection or inquiry to be made:-
- (a) to the University, if such inspections or inquiry is to be made in respect of the University, College or Institution maintained by it, or
 - (b) to the management of the College or Institution, if the inspection or inquiry is to be made in respect of a College or an Institution admitted to the privileges of the University, and the University or the management, as the case may be, shall have the right to make such representations to the Visitor, as it may consider necessary.

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(4) After considering the representation, if any, made by the University or the management, as the case may be, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (2).

(5) Where any inspection or inquiry has been caused to be made by the Visitor, the University or the management, as the case may be, shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.

(6) The Visitor may, if the inspection or inquiry is made in respect of the University or any College or Institution maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Executive Council the views of the Visitor with such advice as the Visitor may be pleased to offer upon the action to be taken thereon.

(7) The Visitor may, if the inspection or inquiry is made in respect of any College or institution admitted to the privileges of the University, address the management concerned through the Vice-Chancellor with reference to the result of such inspection or inquiry, his views thereon and such advice as he may be pleased to offer upon the action to be taken thereon.

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

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

(10) Without prejudice to the foregoing provisions of this section, the Visitor may, by order in writing, annul any proceeding of the University which is not in conformity with this Act, the Statutes or Ordinances:

Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made, and if any cause is shown within a reasonable time, he shall consider the same.

(11) The Visitor shall have such other powers as may be prescribed by the Statutes.

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- Chief Rector** 9. The Governor of the State of Meghalaya shall be the Chief Rector of the University.¹
- Officers of the University** 10. The following shall be the officers of the University:-
(1) The Chancellor
(2) The Vice-Chancellor
(3) The Pro-Vice-Chancellor
(4) The Deans of School
(5) The Registrar
(6) The Finance Officer, and
(7) Such other officers as may be declared by the Statutes to be officers of the University.
- The Chancellor** 11. (1) The Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.
(2) The Chancellor shall, by virtue of his office, be the Head of the University.
(3) The Chancellor shall, if present, preside at the Convocations of the University held for conferring degrees.
- The Vice-Chancellor** 12. (1) The Vice-Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.
(2) The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.
(3) The Vice-Chancellor may, if he is of opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matter.
- Provided that if the authority concerned is of opinion that such action ought not to have been taken it may refer the matter to the Visitor whose decision thereon shall be final.

1. The words States of Meghalaya and Nagaland in section 9 have been amended consequent upon the notification of the Nagaland University Act, 1989.

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Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to appeal against such action to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

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

The Pro-Vice-Chancellor

13. Every Pro-Vice-Chancellor shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

Dean of Schools

14. Every Dean of a School shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

The Registrar

15. (1) The Registrar shall be appointed in such manner as may be prescribed by the Statutes.

(2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

The Finance Officer

16. The Finance Officer shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

Other Officers

17. The manner of appointment and powers and duties of other officers of the University shall be prescribed by the Statutes.

Authorities of the University

18. The following shall be the authorities of the University:-
(1) The Court;
(2) The Executive Council;
(3) The Academic Council;
(4) The Board of Schools; and

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(5) Such other authorities as may be declared by the Statutes to be authorities of the University.

- The Court**
19. (1) The constitution of the Court and the term of office of its members shall be prescribed by the Statutes.
- (2) Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:-
- (a) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;
 - (b) to consider and pass resolutions on the Annual Report and Annual Accounts of the University and the audit report on such accounts;
 - (c) to advise the Visitor in respect of any matter which may be referred to it for advice; and
 - (d) to perform such other functions as may be prescribed by the Statutes.
- The Executive Council**
20. (1) The Executive Council shall be the principal executive body of the University.
- (2) The constitution of the Executive Council, the term of office of its members and its powers and duties shall be prescribed by the Statutes.
- The Academic Council**
21. (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances coordinate and exercise general supervision over the academic policies of the University.
- (2) The constitution of the Academic Council, the term of office of its members and its powers and duties shall be prescribed by the Statutes.
- Other Authorities of the University**
22. The constitution, powers and functions of the Boards of Schools and of such other authorities as may be declared by the Statutes to be authorities of the University, shall be prescribed by the Statutes.
- Planning Board**
23. (1) There shall be constituted a Planning Board of the University which shall advise generally on the planning and development of

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the University and keep under review the standard of education and research in the University;

(2) The Planning Board shall consist of:

(a) the Vice-Chancellor, who shall be the Chairman, and

(b) not more than eight persons of high academic standing who shall be appointed in such manner as may be prescribed by the Statutes.

(3) The Visitor may determine a date with effect from which the Planning Board shall stand dissolved.¹

Power to make Statutes

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

(a) the constitution, powers and functions of the authorities and other bodies of the University, as may be constituted from time to time;

(b) the election and continuance in office of the members of the said authorities and bodies, the filling of vacancies of members, and all other matters relative to those authorities and other bodies for which it may be necessary or desirable to provide:

(c) the appointment, powers and duties of the officers of the University and their emoluments;

(d) the appointment of teachers of the University and other academic staff and their emoluments;

(e) the appointment of teachers and other academic staff working in any other University or organisation for a specified period for undertaking a joint project;

(f) the conditions of service of employees including provision for pension, insurance and provident funds, the manner of termination of service and disciplinary action;

(g) the principles governing seniority of service of employees;

(h) the procedure for arbitration in cases of dispute between employees or students and the University;

(i) the procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of the University;

(j) the establishment and recognition of Students' Union or associations of teachers, academic staff or other employees;

1. The Planning Board stands dissolved with the Constitution of Academic Council with effect from 18.7.76 vide Ministry's letter No. F. 10-14f76-Leg Unit (U 2) dated 3.8.76.

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- (k) the participation of students in the affairs of the University;
- (l) the conferment of honorary degrees;
- (m) the withdrawal of degrees, diplomas, certificates and other academic distinctions;
- (n) the institution of fellowships, scholarships, studentships, medals and prizes;
- (o) the maintenance of discipline among the students;
- (p) the establishment and abolition of Schools, Departments, Halls, Colleges and institutions;
- (q) the conditions under which Colleges and Institutions may be admitted to the privileges of the University and the withdrawal of such privileges;
- (r) the delegation of powers vested in the authorities or officers of the University; and
- (s) all other matters which by this Act are to be, or may be, provided by the Statutes.

Statutes how made

25. (1) The first Statutes are those set out in the Schedule.
- (2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1):
- Provided that the Executive Council shall not make amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council.
- (3) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the approval of the Visitor who may assent thereto or withhold assent or remit to the Executive Council for consideration.
- (4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.
- (5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) during the period of three years immediately after the commencement of this Act.

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Provided that the Visitor may, on the expiry of the said period of three years make, within one year from the date of such expiry, such detailed Statutes as he may consider necessary and such detailed Statutes shall be laid before both Houses of Parliament.

Ordinances

26. (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:
- (a) the admission of students to the University and their enrolment as such;
 - (b) the courses of study to be laid down for all degrees, diplomas and certificates of the University;
 - (c) the medium of instructions and examination;
 - (d) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and training of the same;
 - (e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;
 - (f) the conditions of award of fellowships, scholarships, studentships, medals and prizes;
 - (g) the conduct of examinations, including the term of office and of appointment and the duties of examining bodies, examiners and moderators;
 - (h) the conditions of residence of the students of the University;
 - (i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them;
 - (j) the appointment and emoluments of employees other than those for whom provision has been made in the Statutes;
 - (k) the establishment of Centres of Studies, Boards of Studies, Special Centres, Specialised Laboratories and other Committees;
 - (l) the manner of co-operation and collaboration with other Universities and authorities including learned bodies or associations;

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(m) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;

(n) such other terms and conditions of service of teachers and other academic staff as are not prescribed by the Statutes;

(o) the management of Colleges and Institutions established by the University;

(p) the supervision and management of Colleges and Institutions admitted to the privileges of the University; and

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

(2) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Central Government and the Ordinances so made may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes.

Regulations

27. The authorities of the University may make Regulations consistent with this Act, the Statutes and Ordinances for the conduct of their own business and that of the Committees appointed by them and not provided for by this Act, the Statutes or the Ordinances in the manner prescribed by the Statutes.

Annual Report

28. (1) The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or after such date as may be prescribed by the Statutes and the Court shall consider the report in its annual meeting.

(2) The Court shall submit the annual report to the Visitor along with its comments, if any.

Annual Accounts

29. (1) The annual accounts and balance sheet of the University shall be prepared under the directions of the Executive Council and shall, once at least every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor General of India.

(2) The annual accounts when audited shall be published in the Gazette of India and a copy of the accounts together with the report of the Comptroller and Auditor- General shall be submitted to the Court and the Visitor alongwith the observations of the Executive Council.

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

Conditions of service of employees

30. (1) Every employee shall be appointed under a written contract which shall be lodged with the University and a copy of which shall be furnished to the employee concerned.
- (2) Any dispute arising out of a contract between the University and any employee shall, at the request of the employee, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the employee concerned and an umpire appointed by the Visitor. The decision of the Tribunal shall be final, and no suit shall lie in any civil court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act 2 of 1940.

Procedure of appeal and arbitration in disciplinary cases against students

31. (1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolutions of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examinations of the University for more than one year, may, within ten days of the date of receipt of such orders or copy of such resolution by him, appeal to the Executive Council and the Executive Council may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.
- (2) Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to a Tribunal of Arbitration and the provisions of sub-section (2) of section 30 shall, as far as may be, apply to a reference made under this sub-section.

Right to appeal

32. Every employee or student of the University or of a college or Institution shall, notwithstanding anything contained in this Act, have a right to appeal, within such time as may be prescribed by the Statutes, to the Executive Council against the decision of any office or authority of the University or of the Principal or the management of any College or Institution, as the case may be, and there-upon the Executive Council may confirm, modify or reverse the decision appealed against.

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Provident and Pension funds

33. (1) The University shall constitute for the benefit of its employees such pension or provident fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

(2) Where such provident or pension fund has been so constituted the Central Government may declare that the provisions of the Provident Funds Act 19 of 1925, shall apply in such fund, as if it were a Government provident fund.

Disputes as to constitution of University authorities and bodies

34. If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Visitor whose decision thereon shall be final.

Constitution of Committees

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

Filling of casual vacancies

36. All casual vacancies among the members (other than ex-officio members) of any authority or other body of the University shall be filled, as soon as convenient may be, by the person or body who appointed, elected or co-opted the member whose place has become vacant and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

Proceedings of University authorities or bodies not invalidated by vacancies

37. No act or proceedings of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

Protection of action taken in good faith

38. No suit or other legal proceedings shall lie against any officer or employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or Ordinances.

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Mode of proof of University record

39. A copy of any receipt, application, notice, order, proceeding, resolution of any authority or Committee of the University, or other documents in possession of the University or any entry in any register duly maintained by the University, if certified, by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding or resolution, documents or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence notwithstanding anything contained in the Indian Evidence Act 1 of 1872 or in any other law for the time being in force.

Power to remove difficulties

40. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

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

Transitional provisions

41. Notwithstanding anything contained in this Act and the Statutes-

(a) the first Chancellor and the first Vice-Chancellor shall be appointed by the Visitor and each of the said officers shall hold office for a term of five years;

(b) the first Registrar and the first Finance Officer shall be appointed by the Visitor and each of the said Officers shall hold office for a term of three years;

(c) the first Court and the first Executive Council, shall consist of not more than thirty members and eleven members respectively who shall be nominated by the Visitor and shall hold office for a term of three years;

(d) the first Academic Council shall be constituted on the expiry of a period of six months from the commencement of this Act and during the said period of six months, the powers of the Academic Council shall be performed by the Planning Board constituted under section 23;

(e) the first Academic Council shall consist of not more than twenty one members, who shall be nominated by the Visitor and shall hold office for a term of three years.

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Provided that if any vacancy occurs in the above offices or authorities, the same shall be filled by appointment or nomination, as the case may be, by the Visitor, and the person so appointed or nominated shall hold office for so long as the officer or member in whose place he is appointed or nominated would have held office, if such vacancy had not occurred.

Completion of courses of studies in Colleges or Institutions affiliated to the University

42. Notwithstanding anything contained in this Act, or in the Statutes or the Ordinances, any student of a College or Institution, who, immediately before the admission of such College or Institution to the privileges of the North-Eastern Hill University, was studying for a degree, diploma or certificate of the Gauhati University, shall be permitted by the North-Eastern Hill University to complete his course for that degree, diploma or certificate, as the case may be, and the North-Eastern Hill University and such College or Institution shall provide for the instruction and examination of such student in accordance with the syllabus of studies of the Gauhati University.