

The University Grants Commission Act, 1956

February 19, 2013

Section 1. Short title and commencement

Act No.3 of 1956

[3rd March, 1956]

An Act to make provision for the co-ordination and determination of standards in Universities and for that purpose, to establish a University Grants Commission

Be it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

(1) This Act may be called the University Grants Commission Act, 1956.

(2) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint.

1. 5th November, 1956, vide S.R.O.No.2608, dated 1st November, 1956, Gazette of India, Part II, Sec.3, p.1882

Section 2. Definitions

In this Act, unless the context otherwise requires,—

(a) "Commission" means the University Grants Commission established under section 4;

(b) "Executive authority", in relation to a University, means the chief executive authority of the University (by whatever name called) in which the general administration of the University is vested;

(c) "Fund" means the Fund of the University Grants Commission constituted under section 16;

(d) "Member" means a member of the University Grants Commission and includes the Chairman;

(e) "Prescribed" means prescribed by rules made under this Act;

(f) "University" means a University established or incorporated by or under a Central Act, a Provincial Act or a State Act, and includes any such institution as may, in connection with the University concerned, be recognised by the Commission in accordance with the regulations made in this behalf under this Act.

Section 3. Application of Act to institutions for higher studies other than Universities

The Central Government may, on the advice of the Commission declare, by notification in the Official Gazette, that any institution for higher education, other than a University, shall be deemed to be a University for the purposes of this Act, and on such a declaration being made,



all the provisions of this Act shall apply to such institution as if it were a University within the meaning of clause (f) of section 2.

Section 4. Establishment of the Commission

(1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint, there shall be established a Commission by the name of the University Grants Commission.

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

Section 5. Compensation of the Commission

(1) The Commission shall consist of nine members to be appointed by the Central Government.

(2) The members shall be chosen as follows:—

(a) Not more than three members from among the Vice-Chancellors of Universities.

(b) Two members from among the officers of the Central Government to represent the Government; and

(c) The remaining number from among persons who are educationists of repute or who have obtained high academic distinctions;

Provided that not less than one-half of the total number so chosen shall be from among persons who are not officers of the Central Government or of any State Government.

(3) The Central Government shall nominate a member of the Commission, not being an officer of the Central Government or of any State Government, to be the Chairman thereof.

(4) Every appointment under this section shall take effect from the date on which it is notified by the Central Government in the Official Gazette.

Section 6. Terms and conditions of service of members

(1) Every member shall, unless he becomes disqualified for continuing as such under the rules that may be made under the Act, hold office for a period of six years.

Provided that out of the members (other than the Chairman and the members representing the Central Government) appointed for the first time under this section, as nearly as possible, one-half of the members shall retire, as soon as may be, on the expiration of the third year in accordance with such procedure as may be prescribed, and the vacancies so caused shall be filled by fresh appointment.

(2) A member may resign his office by writing under his hand addressed to the Central Government, but he shall continue in office until his resignation is accepted by the Central Government.

(3) A casual vacancy created by the resignation of a member under sub-section (2) or for any other reason shall be filled by fresh appointment and a member so appointed shall hold office



for the remaining period for which the member in whose place he is appointed would have held office.

(4) The office of the Chairman shall be a whole-time and salaried one and subject thereto, the terms and conditions of service of the Chairman and other members shall be such as may be prescribed.

Section 7. Meetings of the Commission

The Commission shall meet at such times and places and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be provided by regulations made under this Act

Section 8. Vacancies amongst members or defect in constitution not to invalidate acts or proceedings of the Commission

No act or proceedings of the Commission shall be deemed to be invalid by reason merely of any vacancy in, or any defect in the constitution of, the Commission.

Section 9. Temporary association of persons with the Commission for particular purposes

(1) The Commission may associate with itself, in such manner and for such purposes as may be determined by regulations made under this Act, any person whose assistance or advice it may desire in carrying out any of the provisions of this Act.

(2) A person associated with it by the Commission under sub-section(1) for any purposes shall have a right to take part in the discussions relevant to that purpose, but shall not have a right to vote at a meeting of the Commission, and shall not be a member for any other purpose.

Section 10. Staff of the Commission

Subject to such rules as may be made by the Central Government in this behalf, the Commission may appoint a Secretary and such other employees as it may think necessary for the efficient performance of its functions under this Act and the terms and conditions of service of the employees shall be such as may be determined by the Commission.

Section 11. Authentication of orders and other instruments of the Commission

All orders and decisions of the Commission shall be authenticated by the signature of the Chairman or any other member authorised by the Commission in this behalf, and all other instruments issued by the Commission shall be authenticated by the signature of the Secretary or any other officer of the Commission authorised in like manner in this behalf.

Section 12. Functions of the Commission

It shall be the general duty of the Commission to take, in consultation with the Universities or other bodies concerned, all such steps as it may think fit for the promotion and co-ordination of University education and for the determination and maintenance of standards of teaching,



examination and research in Universities, and for the purpose of performing its functions under this Act, the Commission may—

(a) Inquire into the financial needs of Universities.

(b) Allocate and disburse, out of the Fund of the Commission, grants to Universities established or incorporated by or under a Central Act for the maintenance and development of such Universities or for any other general or specified purpose.

(c) Allocate and disburse, out of the Fund of the Commission, such grants to other Universities as it may deem necessary for the development of such Universities or for any other general or specified purpose:

Provided that in making any grant to any such University the Commission shall give due consideration to the development of the University concerned, its financial needs, the standard attained by it and the national purposes which it may serve;

(d) Recommend to any University the measures necessary for the improvement of University education and advise the University upon the action to be taken for the purpose of implementing such recommendation.

(e) Advise the Central Government or any State Government on the allocation of any grants to Universities for any general or specified purpose out of the Consolidated Fund of the State, as the case may be;

(f) Advise any authority, if such advice is asked for, on the establishment of a new University or on proposals connected with the expansion of the activities of any University;

(g) Advise the Central Government or any State Government or University on any question which may be referred to the Commission by the Central Government or the State Government or the University, as the case may be;

(h) Collect information on all such matters relating to University education in India and other countries as it thinks fit and make the same available to any University;

(i) Require a University to furnish it with such information as may be needed relating to the financial position of the University or the studies in the various branches of learning undertaken in that University, together with all the rules and regulations relating to the standards of teaching and examination in that University respecting each of such branches of learning;

(j) Perform such other functions as may be prescribed or as may be deemed necessary by the Commission for advancing the cause of higher education in India or as may be incidental or conducive to the discharge of the above functions.

Section 13. Inspection

(1) For the purpose of ascertaining the financial needs of a University or its standards of teaching, examination and research, the Commission may, after consultation with the University, cause an inspection of any department or departments thereof to be made in such manner as may be prescribed and bus such person or persons as it may direct.

(2) The Commission shall communicate to the University the date on which any inspection under sub-section (1) is to be made and the University shall be entitled to be associated with the inspection in such manner as may be prescribed.



(3) The Commission shall communicate to the University its views in regard to the results of any such inspection and may, after ascertaining the opinion of the University, recommend to the University the action to be taken as a result of such inspection.

(4) All communications to a University under this section shall be made to the executive authority thereof and the executive authority of the University shall report to the Commission the action, if any, which is proposed to be taken for the purpose of implementing any such recommendation as is referred to in sub-section (3).

Section 14. Consequences of failure of Universities to comply with recommendations of the Commission

If any University fails within a reasonable time to comply with any recommendation made by the Commission under section 12 or section 13, the Commission, after taking into consideration the cause, if any, shown by the University for its failure to comply with such recommendation, may withhold from the University the grants proposed to be made out of the Fund of the Commission.

Section 15. Payment of the Commission

The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Commission in each financial year such sums as may be considered necessary for the performance of the functions of the Commission under this Act.

Section 16. Fund of the Commission

(1) The Commission shall have its own Fund; and all sums which may, from time to time, be paid to it by the Central Government and all the receipts of the Commission (including any sum which any State Government or any other authority or person may hand over to the Commission) shall be carried to the Fund and all payments by the Commission shall be made therefrom.

(2) All moneys belonging to the Fund shall be deposited in such banks or invested in such manner as may, subject to the approval of the Central Government, be decided by the Commission.

(3) The Commission may spend such sums as it thinks fit for performing its functions under this Act, and such sums shall be treated as expenditure payable out of the Fund of the Commission.

Section 17. Budget

The Commission shall prepare, in such form and at such time each year as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure and copies thereof shall be forwarded to the Central Government.

Section 18. Annual report

The Commission shall prepare once every year, in such form and at such time as may be prescribed, an annual report giving a true and full account of its activities during the previous year, and copies thereof shall be forwarded to the Central Government and the Government shall cause the same to be laid before both Houses of Parliament.



Section 19. Account and audit

(1) The Commission shall cause to be maintained such books of account and other books in relation to its account in such form and in such manner as may, in consultation with the Comptroller and Auditor-General of India, be prescribed.

(2) The Commission shall, as soon as may be after closing its annual accounts, prepare a statement of accounts in such form, and forward the same to the Comptroller and Auditor-General by such date, as the Central Government may, in consultation with the Comptroller and Auditor-General, determine.

(3) The accounts of the Commission shall be audited by the Comptroller and Auditor-General at such times and in such manner as he thinks fit.

(4) The annual accounts of the Commission together with the audit report thereon shall be forwarded to the Central Government and the Government shall cause the same to be laid before both Houses of Parliament and shall also forward a copy of the audit report to the Commission for taking suitable action on the matters arising out of the audit report.

Section 20. Directions by the Central Government

(1) In the discharge of its functions under this Act, the Commission shall be guided by such directions on questions of policy relating to national purposes as may be given to it by the Central Government.

(2) If any dispute arises between the Central Government and the Commission as to whether a question is or is not a question of policy relating to national purposes, the decision of the Central Government shall be final.



Section 21. Returns and information

The Commission shall furnish to the Central Government such returns or other information with respect to its property or activities as the Central Government may, from time to time, require.

Section 22. Right to confer degrees

(1) The right of conferring or granting degrees shall be exercised only by a University established or incorporated by or under a Central Act, a Provincial Act or a State Act or an institution deemed to be a University under section 3 or an institution specially empowered by an Act of Parliament to confer or grant degrees.

(2) Save as provided in sub-section (1), no person or authority shall confer, or grant, or hold himself or itself out as entitled to confer or grant, any degree.

(3) For the purposes of this section, "degree" means any such degree as may, with the previous approval of the Central Government, be specified in this behalf by the Commission by notification in the Official Gazette.

Section 23. Prohibition of the use of word University in certain cases

No institution, whether a corporate body or not, other than a University established or incorporated by or under a Central Act, a Provincial Act or a State Act shall be entitled to have

the word "University" associated with its name in any manner whatsoever:

Provided that nothing in this section shall, for a period of two years from the commencement of this Act, apply to an institution which, immediately before such commencement, had the word "University" associated with its name.

Section 24. Penalties

Whoever contravenes the provisions of section 22 or section 23 shall be punishable with fine which may extend to one thousand rupees, and if the person contravening is an association or other body of individuals, every member of such association or other body who knowingly or wilfully authorises or permits the contravention shall be punishable with fine which may extend to one thousand rupees.

Section 25. Power to make rules

(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particulars, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) The procedure for the retirement under section 6;
- (b) The disqualifications for continuing as a member of the Commission;
- (c) The terms and conditions of service of members of the Commission;
- (d) The terms and conditions of service of employees appointed by the Commission;
- (e) The additional functions which may be performed by the Commission under clause (j) of section 12;
- (f) The returns and information which are to be furnished by Universities in respect of their financial position or standards of teaching and examination maintained therein;
- (g) The inspection of Universities;
- (h) The form and manner in which the budget and reports are to be prepared by the Commission;
- (i) The manner in which the accounts of the Commission are to be maintained;
- (j) The form and manner in which returns or other information are to be furnished by the Commission to the Central Government;
- (k) Any other matter which has to be, or may be, prescribed.

(3) All rules made under this section shall, as soon as possible after they are made, be laid before both Houses of Parliament.

Section 26. Power to make regulations



(1) The Commission may make regulation consistent with this Act and the rules made there under,—

(a) Regulating the meetings of the Commission and the procedure for conduction business there at;

(b) Regulating the manner in which and the purposes for which persons may be associated with the Commission under section 9;

(c) Specifying the terms and conditions of service of the employees appointed by the Commission;

(d) Specifying the institutions or class of institutions which may be recognised by the Commission under clause (f) of section 2;

(e) Defining the qualifications that should ordinarily be required of any person to be appointed to the teaching staff of the University, having regard to the branch of education in which he is expired to give instruction;

(f) Defining the minimum standards of instruction for the grant of any degree by any University;

(g) Regulating the maintenance of standards and the co-ordination of work or facilities in Universities.

(2) No regulation shall be made under clause (a) or clause (b) or clause (c) of clause (d) of sub-section (1) except with the previous approval of the Central Government.

