

THE UTTAR PRADESH STATE UNIVERSITIES (VALIDATION OF APPOINTMENTS) ACT, 1984<sup>1</sup>

[U. P. Act No. 18 of 1984]

[As Passed by the Uttar Pradesh Legislature under Article 200 of the “Constitution of the India” and assented to by the Governor on September 29, 1984 and published in the Uttar Pradesh Gazette Extraordinary, dated October 1, 1984.]

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ACT

*to validate certain appointments, made in the State Universities*

IT IS HEREBY enacted in the Thirty-fifth Year of the Republic of India as follows:—

**Short title and commencement**

1. (1) This Act may be called the Uttar Pradesh State Universities (Validation of Appointment) Act, 1984.

(2) It shall be deemed to have come into force on August 16, 1984.

**Validation of appointments**

2. Notwithstanding any judgment, decree or order of any Court or order of any officer or authority or anything contained in the Uttar Pradesh State Universities Act, 1973 or Statutes framed thereunder, the appointment of every teacher made in any University governed by the said Act or in any affiliated or associated college thereof during the period July 1, 1978 and the date of commencement of this act, in excess of the number of posts advertised, shall be and be deemed always to have been valid and validity of such appointments shall not be called in question before any court, tribunal, officer or authority merely on the ground that the post was not separately advertised or that the prescribed procedure was not followed.

**Repeal and savings**

3. (1) The Uttar Pradesh State Universities (Validation of Appointments) Ordinance, 1984 is hereby repealed.

**U.P. Ordinance no. 16 of 1984**

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under this Act, as if this Act were in force at all material times.

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1. For SOR see at the end of this Act

### **STATEMENT OF OBJECTS AND REASONS**

According to the interpretation put on certain provisions of the State Universities Act, 1973, every vacancy of a teacher should be advertised and selection against a vacancy not advertised is illegal. In some cases, however, selections for the posts of teachers have been made in excess of the number advertised and such teachers have been working for a number of years. As a result of the aforesaid interpretation such teachers even though fully qualified face the prospect of being thrown out of employment for no fault on their part and, as such, they are likely to face much hardship and irreparable loss. It has accordingly been considered proper that the teachers appointed in the State Universities or their affiliated or associated colleges in excess of the number of posts advertised, between July 1, 1978 and the date of commencement of this Act be deemed to be validly appointed.

The Uttar Pradesh State Universities (Validation of Appointments) Bill, 1984 is accordingly introduced.

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