

The Uttar Banga Krishi Viswavidyalaya Act, 2000

WEST BENGAL

India

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Act 20 of 2000

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The Uttar Banga Krishi Viswavidyalaya Act, 2000 West Bengal Act 20 of 2000 [Dated 22nd August, 2000] Assent of the Governor first published in the Calcutta Gazette, Extraordinary, of 22nd August, 2000. An Act to provide for the establishment of a University for the development of agriculture and for the furtherance of the advancement of learning and prosecution of research and extension in agriculture and allied sciences in West Bengal. Whereas it is expedient to provide for the establishment of a University for the development of agriculture and for the furtherance of the advancement of learning and prosecution of research and extension in agriculture and allied sciences in West Bengal; It is hereby enacted as follows :-

Chapter I Preliminary

1. Short title, extent and commencement.

(1) This Act may be called the Uttar Banga Krishi Viswavidyalaya Act, 2000. (2) It extends to the whole of West Bengal. (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions.

- In this Act, unless the context otherwise requires, - (1) "agriculture" includes basic and applied sciences relating to terrestrial and aquatic crop and animal production, forestry including farm forestry, horticultural crops, home economics, agricultural engineering and technology, marketing and processing, land use and management, soil and water management, crop-weather, environment, insect-pest-disease management, utilisation of beneficial insects and microbial organisms, biotechnology, and all matters connected therewith or incidental thereto; (2) "appointed day" means the date on which this Act comes into force; (3) "Associate Director of Research" means

the Head of a research wing or regional station;(4)"authority" means any authority of the University specified in section 9;(5)"convocation" means a meeting of the Council for the purpose of conferring degrees, titles, diplomas, certificates or other academic distinctions;(6)"Council" means the Executive Council of the University constituted under section 10;(7)"Dean" means the Dean of the Faculty;(8)"employee", in relation to the University, means any person employed by the University;(9)"extension wing" means the establishment maintained, organised or recognised by the University for the purpose of extension education functions;(10)"Faculty" means a Faculty of the University;(11)"financial year" means the year commencing on the first day of April;(12)"former University" means the Bidhan Chandra Krishi Viswavidyalaya constituted under the Bidhan Chandra Krishi Viswavidyalaya Act, 1974;(13)"Governor" means the Governor of West Bengal;(14)"hostel" means a place of residence for the students of the University maintained or recognised by the University;(15)"Minister" means the Minister-in-charge of the Department of Agriculture of the Government of West Bengal;(16)"non-teaching staff" means the employees of the University other than Teachers and officers;(17)"officer" means an officer of the University;(18)"prescribed" means prescribed by Statutes, Ordinances or Regulations;(19)"regional station" means a research or extension station under the University;(20)"Krishi Vigyan Kendra" means the centre for transfer of agricultural technology and conducting agricultural extension education programme;(21)"research wing" means the establishment maintained, organised or recognised by the University for the purpose of research functions;(22)"revised scale" means any of the scales of pay sanctioned by the Government of West Bengal in the Agriculture Department;(23)"Selection Committee" means the committee for the selection of Teachers of the University;(24)"Standing Committee" means the committee for the selection of officers and non-teaching staff of the University;(25)"Statutes", "Ordinances" and "Regulations" mean respectively the Statutes, the Ordinances and the Regulations of the University made under this Act;(26)"student" means a person enrolled in the University for taking a course of study for a degree, diploma or other academic distinction duly instituted;(27)"Students' Union", in relation to the University, means the Students' Union constituted in the manner prescribed;(28)"Teacher" means a person appointed on full time and regular basis by the University for the purpose of imparting instruction or conducting and guiding research or extension education programmes, and includes any other person who may be declared by Statutes to be a Teacher;(29)"teaching wing" means the establishment maintained, organised or recognised by the University for the purpose of teaching and instructional functions;(30)"University" means the Uttar Banga Krishi Viswavidyalaya constituted under section 3;(31)"unit" means a small section or segment at any place within the jurisdiction of the University established for the purpose of administrative, teaching, research and extension education functions.

Chapter II

The University

3. Incorporation of the University.

(1)With effect from the appointed day, there shall be established a University by the name of the Uttar Banga Krishi Viswavidyalaya.(2)The University shall be a body corporate, shall have perpetual

succession and a common seal, and shall sue and be sued by the name of the Uttar Banga Krishi Viswavidyalaya.(3)The principal seat of the University shall be located at Pundibari under Cooch Behar Block-II in the district of Cooch Behar.

4. Jurisdiction of the University.

(1)The jurisdiction of the University in teaching, research and extension education programme in the field of agriculture and allied sciences shall extend to all the northern districts of Darjeeling, Jalpaiguri, Cooch Behar, North Dinajpur, South Dinajpur and Malda in West Bengal.(2)The University may assume responsibility for training of field extension workers and farmers in order to support the agricultural production of West Bengal and, for that purpose, may establish, develop and operate such organisations as may be required in the various parts of West Bengal within the jurisdiction of the University.(3)All colleges, research and experimental stations, and extension organisations of the former University coming under the jurisdiction of the University, shall be regarded as constituent units of the University under its full management and control and no unit shall be recognised as affiliated unit.(4)The University may collaborate with other Universities, research institutes and other scientific and academic institutes pursuing the study of agriculture and allied sciences, either basic, or applied to agriculture, in making and implementing programmes of common interests for the benefit of agriculture, whether such institutions are situated within or outside West Bengal, in order to ensure that the efforts made by all of them become complementary to one another.(5)On and from the appointed day, no new college or institution imparting instruction in agriculture and allied sciences shall be established without the recommendation of the University and the prior approval of the State Government.(6)No institution affiliated to, or associated with, or maintained by, any other University, whether within or outside West Bengal, shall be recognised by the University for any purpose, except with the prior approval of the State Government and the University concerned.

5. Objectives of University.

- The University shall have the following objectives :-(1)to impart education in different branches of study in agriculture, horticulture, agricultural processing, engineering, terrestrial and aquatic sciences, forestry, tea science, agricultural engineering, home sciences, biotechnology, environment and other allied branches of learning and scholarship;(2)to further the advancement of learning and prosecution of research in agriculture, production system and allied sciences;(3)to undertake the extension education programme in the field of agriculture and allied sciences to the rural people of West Bengal;(4)to undertake the development of such sciences and the extension thereof to the rural people in co-operation with the concerned authorities or departments of the Government of West Bengal; and(5)such other purposes as the University may, from time to time, determine.

6. Admission to the University.

(1)The University shall, subject to the provisions of this Act and the Statutes, be open to all persons.(2)Nothing contained in sub-section (1) shall require the University-(a)to admit to any course of study any person who does not possess the prescribed academic qualifications or

standard;(b)to retain on the rolls of the University any student whose academic record is below the minimum standard required for the award of a degree, diploma or other academic distinctions;(c)to admit any person, or retain any student, whose conduct is prejudicial to the interest of the University or the rights and privileges of the students or the employees;(d)to admit to any course of study students larger in number than those prescribed.(3)Subject to the provisions of sub-section (2), the State Government may, by order, direct that the University shall reserve such percentage of seats for the students belonging to the Scheduled Castes, Scheduled Tribes and backward classes as may be specified therein and also for the candidates from other States in India, subject to their fulfilling the minimum standards laid down for admission, and, where such direction has been given, the University shall make the reservation accordingly.

7. Powers and functions of the University.

- The powers and functions of the University shall be-(1)to provide for instruction and training in agriculture and allied sciences,(2)to provide for the conduct of research and dissemination of knowledge in agriculture and allied sciences,(3)to provide for dissemination of the finding of research and technical information through extension education,(4)to institute degrees, titles, diplomas, certificates and other academic distinctions in agriculture and allied sciences,(5)to hold examinations and confer degrees, titles, diplomas, certificates and other academic distinctions on persons who-(a)shall have pursued prescribed courses of studies, unless exempted therefrom in the manner prescribed, and shall have passed such examinations as may be prescribed, or(b)shall have earned on research in accordance with such conditions as may be prescribed,(6)to confer honorary degrees or other distinctions in the prescribed manner and under the prescribed conditions,(7)to provide for lectures and instructions for field workers, farmers, and other persons, not enrolled as regular students of the University, and to grant certificate to them, if necessary,(8)to co-operate with other Universities and authorities in such manner, and for such purposes, as it may determine for furtherance of the agricultural education,(9)to establish and maintain colleges relating to agriculture and allied sciences,(10)to establish and maintain infrastructure and physical assets for teaching, research and extension education,(11)to create and institute Professorship, Readership, Lecturership and such posts including posts of officers as may be necessary for the establishment of the University colleges, University departments, Institutions, Libraries, Laboratories and museums and to appoint persons to such posts,(12)to institute and award fellowships, scholarships and prizes in accordance with the Statutes,(13)to establish and maintain or recognise hostels for students of the University and residential accommodation for the staff of the University,(14)to fix, demand and receive such fees and other charges as may be prescribed,(15)to withdraw or to cancel degrees, titles, diplomas, certificates or other academic distinctions under such conditions as may be prescribed by Statutes and after giving the person affected a reasonable opportunity to present his case,(16)to consider the proposals for entering into agreement with other Government, semi-Government, or non-Government organisations recognised by the University for consultancy services in agricultural research and development programmes on such terms and conditions as may be approved by the Executive Council,(17)to supervise and control the residence and hostels and to regulate conduct and discipline of Teachers, officers, non-teaching staff, field workers and students and to make arrangements for promoting their health and welfare,(18)to consider the Annual Statement of Accounts and the Annual Financial Estimates approved by the Executive Council and to pass such

resolutions relating thereto as may be considered necessary,(19)to consider the Annual Report as prepared by the Executive Council and to pass such resolutions relating thereto as may be considered necessary,(20)to advise on such other matters as may be referred to it by the Executive Council,(21)to consider, and advise on, proposals from the Executive Council for entering into agreement with the State Government or, subject to the approval of the State Government, with any other Government or with any person, body or authority for the taking over by the University of the management of any college or institution including its assets and liabilities or for any other purpose not repugnant to the provisions of this Act, and(22)to exercise all other powers, and perform all other functions, conferred or imposed on the University by or under this Act.

8. Inspection and inquiry.

(1)The State Government shall have the right to cause an inspection to be made by such person or persons as that Government may direct-(a)of the University, its buildings, laboratories, libraries, museums, workshops and equipment, or(b)of an institution, college or hostel maintained by the University, or(c)of the teaching and other work conducted by the University or under its auspices, or(d)of the conduct of any examination held by the University.(2)The State Government shall also have the right to cause an inquiry to be made by such person or persons as that Government may direct in respect of any matter connected with the administration or finance of the University.(3)The State Government shall, in every case, give notice to the University of its intention to cause an inspection or inquiry to be made, and the University shall be entitled to be represented at such inspection or inquiry.(4)The State Government shall communicate to the University its views with reference to the result of such inspection or inquiry and may, after ascertaining the opinion of the University thereon, advise the University upon the action to be taken and fix a time limit for taking such action.(5)The University shall, within the time limit so fixed, report to the State Government the action taken or proposed to be taken and fix a time limit for taking such action.(6)If the University does not take action within the time limit fixed or if the action taken by the University is, in the opinion of the State Government, not satisfactory, the State Government may, after considering any explanation offered or representation made by the University, issue such direction as that Government may deem fit, and the University shall comply with such direction.(7)If the University does not comply with such direction within the time limit as may be fixed in that behalf by the State Government, the State Government shall have the power to appoint any person or body to comply with such direction and make such order as may be necessary for the execution thereof.

Chapter III

Authorities of the University

9. Authorities.

- The following shall be the authorities of the University:-(1)the Executive Council;(2)the Academic Council;(3)the Faculty Councils;(4)the Departmental Committees;(5)the Board of Examination;(6)such other bodies as may be declared by Statute to be the authorities of the University.

10. The Executive Council.

(1)The Executive Council shall consist of the following members :-(a)ex officio members(i)the Vice-Chancellor,(ii)the Deans of Faculties,(iii)the Director of Research,(iv)the Director of Extension Education,(v)the Director of Farms,(vi)the Registrar,(vii)the Secretary, Department of Agriculture, Government of West Bengal, or his nominee not below the rank of Deputy Secretary to the Government of West Bengal, and(viii)the Secretary, Department of Finance, Government of West Bengal, or his nominee not below the rank of Deputy Secretary to the Government of West Bengal:Provided that if any of the members referred to in clauses (vii) and (viii) is, for any reason, unable to attend any meeting of the Executive Council, he may depute an officer under his control, not below the rank of Joint Secretary to the Government of West Bengal;(b)nominated members(ix)one eminent scientist having special knowledge and practical experience in agricultural research, teaching and extension education, to be nominated by the Chancellor,(x)one representative of agro-industries, to be nominated by the Chancellor,(xi)one progressive farmer from the area under the jurisdiction of the University to be nominated by the State Government,(xii)one woman social worker, to be nominated by the State Government, and(xiii)one representative of the Indian Council for Agricultural Research, to be nominated by that Council;(c)elected members(xiv)three regularly appointed full-time Teachers, not below the rank of Reader, to be elected by all the Teachers of the University,(xv)one member of the non-teaching staff, to be elected by all the members of the non-teaching staff of the University, and(xvi)one regular post-graduate students to be elected by all the regular students of the University.(2)The Vice-Chancellor shall be the ex officio Chairman, and the Registrar shall be the ex officio Member-Secretary, of the Executive Council.(3)The term of office of the members of the Executive Council, other than ex officio members, shall be four years, and a member shall be eligible to be a member of the Executive Council for more than one term :Provided that a member of the Executive Council, who is elected or nominated in his capacity as a member of a particular electorate or body, or as a holder of a particular appointment, shall cease to be a member of the Executive Council from the date on which he ceases to be a member of that electorate or body or holder of that appointment, as the case may be:Provided further that the member elected under clause (xvi) of sub-section (1) shall hold office for four years or till he ceases to be a student, whichever is earlier.(4)All elections to the Executive Council shall be held in the manner prescribed by Statutes.(5)One-third of the total number of members of the Executive Council plus one shall be a quorum for a meeting of the Executive Council :Provided that no such quorum shall be required at the Convocation.

11. Powers and duties of the Executive Council.

(1)The Executive Council shall exercise the following powers and perform the following duties :-(a)to consider and review the financial requirements and estimates for the University and approve its budget;(b)to provide for the administration of any fund placed at the disposal of the University for any of its purposes;(c)to arrange for the investment and withdrawal of funds of the University;(d)to determine the form, provide for the custody, and regulate the use, of the common seal of the University;(e)to acquire, hold and dispose of property on behalf of the University;(f)to borrow money for capital improvements and to make suitable arrangements for its repayment;(g)to make financial provision for the instruction, teaching, research, advancement and dissemination of

knowledge in such branches of learning and courses of study as may be determined by the Academic Council;(h)to provide for the establishment and maintenance of colleges, institutes, hostels, laboratories, experimental farms and other facilities necessary for carrying out the purposes of this Act;(i)to provide for institution, maintenance and award of scholarships, fellowships, studentships, medals, prizes and the like;(j)to accept trust, bequest, donation and transfer of any movable or immovable property on behalf of the University;(k)to confer honorary degrees or other academic distinctions in the manner, and on the conditions, prescribed;(l)to approve the recommendations for appointment of officers, Teachers and non-teaching staff in the manner prescribed;(m)to create posts of Teachers, officers and non-teaching staff with the approval of the State Government;(n)to sanction the increase of pay, allowances or financial benefits to an employee of the University with the prior approval of the State Government;(o)to co-operate with other authorities in such manner and for such purposes as it may determine;(p)to affiliate colleges and institutions to the University under the conditions prescribed and to withdraw affiliation of such colleges or institutions;(q)to provide collaborative research and extension activities with other Universities, Government and quasi-Government organisations engaged in education and research, and non-Government organisations recognised by the University for advancement of research and dissemination of knowledge;(r)to approve the proposal along with the terms and conditions for entering into agreement with any other organisation for consultancy service on behalf of the University;(s)to appoint such committees, either standing or temporary, as it may consider necessary and specify the terms of reference thereof, subject to the provisions of this Act and the Statutes;(t)to determine and regulate all policies relating to the University in accordance with this Act or the Statutes;(u)to exercise general supervision over the functions of teaching, research and extension of the University and to give such directions as it may consider necessary;(v)to make rules for the transaction of its own business;(w)to exercise such other powers and perform such other duties, not inconsistent with the provisions of this Act or the Statutes, as may be necessary for carrying out the purposes of this Act;(x)to examine and take action on the Annual Report submitted by the Academic Council, the Faculty Councils, and all other bodies or authorities regarding teaching, research and extension functions and works entrusted to the Research Council and the Extension Council.(2)The Executive Council shall meet at such times and places as it may consider necessary :Provided that the Executive Council shall hold meetings at least once in every two months.(3)The Vice-Chancellor may invite any person having experience or special knowledge on any subject under consideration to attend the meeting of the Executive Council Such person may speak or otherwise take part in the proceedings of such meeting,,but shall not be entitled to vote. Any person so invited shall be entitled to such allowances as may be prescribed.

12. Academic Council.

(1)The Academic Council shall be the academic authority of the University and shall, subject to the provisions of this Act and the Statutes, have the control and general regulation of teaching and examination in the University and shall be responsible for the maintenance of the standards thereof.(2)The Academic Council shall consist of the following members :-(a)the Vice-Chancellor;(b)the Secretary, Department of Agriculture, Government of West Bengal, or his nominee;(c)the Dean of each Faculty;(d)the Director of Research;(e)the Director of Extension Education;(f)the Director of Farms;(g)two persons having special knowledge in agricultural

education, research and extension education, to be nominated by the Vice-Chancellor;(h)two Heads of the Departments from each Faculty, nominated by the Vice-Chancellor on rotational basis;(i)three Professors of the University, to be nominated by the Vice-Chancellor, and four Teachers, not below the rank of Reader of the University, to be nominated by the Vice-Chancellor in such a manner that each Faculty shall have at least one member;(j)one post-graduate student nominated by the Central Students' Union of the University;(k)The Registrar.(3)The Vice-Chancellor shall be the ex officio Chairman, and the Registrar shall be the ex officio Secretary, of the Academic Council.(4)The term of office of the nominated members of the Academic Council shall be four years and may be extended for another term except for those specified in clause (h) of sub-section (2) :Provided that a member of the Academic Council, who is nominated in his capacity, or being the holder, of a particular appointment shall cease to be a member of the Academic Council from the date on which he ceases to be in that capacity or to be the holder of that appointment.

13. Powers and Duties of the Academic Council.

(1)The powers and duties of the Academic Council shall be-(a)to supervise, direct and control, and be responsible for, the maintenance and promotion of the standards of instruction, education and examination and other matters concerned with obtaining the degrees and to exercise such other powers and perform such other duties as may be prescribed;(b)to make regulations and amend or repeal the same;(c)to make regulations regarding-(i)the admission of students to the University and the number of students to be admitted,(ii)the course of study leading to degrees, diplomas and other academic distinctions, and(iii)the conduct of examinations and maintenance and promotion of standards of education;(d)to advise the Executive Council on all academic matters including the control and management of libraries;(e)to make recommendations to the Executive Council for creation and institution of Professorships, Readerships and Lecturerships and non-teaching posts attached with teaching departments, research and extension education wings, and for the duties and emoluments thereof;(f)to formulate, modify or revise schemes for the constitution or reconstitution of teaching departments and wings of research and extension education;(g)to make recommendation to the Executive Council regarding postgraduate teaching, research and extension education;(h)to recommend to the Executive Council the minimum qualification for posts of Teachers of the University;(i)to formulate general guidelines relating to the specific jobs to be assigned to the supporting staff attached with the teaching departments or units, research and extension education organisations of the University for its approval by the Executive Council;(j)to consider any educational matter relating to the Academic Council and to arrive at decisions or make recommendations pertaining thereto to the appropriate authority or officer;(k)to exercise such other powers and perform such other functions as may be conferred or imposed on it by or under the provision of this Act or the Statutes;(l)to recommend to the Executive Council the fixation, payment and receipt of fees and penalty for non-payment in time by the students of the University;(m)to constitute committees for the institution of scholarship, fellowship, studentship, medals, prizes, and grants-in-aid, and to formulate rules for such awards from time to time and to decide the admission strength for various disciplines.(2)The Academic Council shall meet at least once in six months.

14. Faculty Council.

(1)The University shall consist of Faculties of Agriculture, Horticulture and such other Faculties as may be prescribed by Statutes.(2)Each Faculty shall have a Faculty Council. The Faculty Council shall propose to the Academic Council the courses of study and curricula for the various programmes offered. The Faculty Council shall also review from time to time the standards of teaching and evaluation of students.(3)Each Faculty Council shall consist of the following members:-(a)the Dean of the Faculty;(b)the Deans of other Faculties;(c)the Director of Research;(d)the Director of Extension Education;(e)the Director of Farms;(f)all Heads of the Departments under the Faculty concerned;(g)two Teachers, of whom at least one in the rank of Professor from each Department under the concerned Faculty recommended by the Departmental Committee by rotation;(h)two Teachers in the rank of Professor of related subjects or sciences from outside the University to be nominated by the Vice-Chancellor in consultation with the Dean of the concerned Faculty.(4)The Faculty Council shall propose to the Academic Council the curricula of the Faculty and shall decide all questions referred to it regarding the syllabi for various undergraduate and post-graduate programmes and all other matters referred to it by the Academic Council.(5)The Faculty Council shall exercise such other powers and perform such other duties as may be directed by the Academic Council.(6)The Faculty Council shall meet at least four times a year.(7)The term of appointment of the nominated members and the outside experts of the Faculty Council shall be for four years and they shall be eligible to be so appointed for more than one term.(8)The Dean of the Faculty concerned shall be the Chairman of the Faculty Council.

15. Departmental Committee.

(1)Each teaching department shall have committee which shall be directly responsible to the Faculty Council concerned.(2)Unless otherwise provided, the powers and duties of the Departmental Committee shall be-(a)to exercise general control on teaching and other educational programmes and to maintain and promote the standards thereof,(b)to discuss all matters related to instructional programmes,(c)to recommend nominees to the Faculty Council,(d)to formulate, modify or revise the curricula from time to time for undergraduate and post-graduate classes of the department and to propose to the Faculty Council concerned in this behalf.(3)The Departmental Committee shall meet at least once in two months.(4)The Departmental Committee may, for the purpose of consultation, invite, with the prior approval of the Dean of the Faculty concerned, any person having special knowledge and practical experience on any subject under consideration to attend any of its meetings.(5)The Departmental Committee shall consist of the following Members:-(a)the Head of the department, and(b)all Teachers of the concerned department who are primarily engaged in teaching by virtue of their appointments.(6)The Head of the department shall be the Chairman of the Departmental Committee.(7)The Departmental Committee shall exercise such other powers and perform such other duties as may be directed by the Faculty Council.

16. Agricultural research organisation.

(1)Subject to the provisions of this Act and the Statutes, the University shall establish an agricultural research organisation for doing research on problems primarily relating to agriculture and allied

sciences for the purpose of aiding development of agriculture and shall, for this purpose, establish as many agricultural research stations as may be in co-operation with the Department of Agriculture and the research stations under the control of the State Government, Government undertakings and such other bodies as may be recognised by the University.(2)The agricultural research organisation shall be developed under the guidance of the Director of Research.(3)A research council shall be formed by the Executive Council in order to provide administration for research function of the University.(4)The research council shall supervise, direct and control all the research activities of the University and shall be the policy making body on research in the University.(5)The constitution of the research council shall be as follows :-(a)the Vice-Chancellor;(b)the Registrar,(c)the Director of Research;(d)The Director of Extension Education;(e)the Director of Farms;(f)the Deans of the Faculties;(g)the Associate Director of Research or the person in-charge of regional research stations;(h)five Teachers of the University of whom at least one shall be from each Faculty, to be nominated by the Vice-Chancellor by rotation;(i)the Director of Agriculture, Government of West Bengal, or his nominee;(j)the Director of Horticulture, Government of West Bengal, or his nominee;(k)the Chief Environment Officer, Government of West Bengal, or his nominee;(l)the Principal Chief Conservator of Forests, Government of West Bengal, or his nominee;(m)the Director of Sericulture, Government of West Bengal, or his nominee;(n)the Chief Scientific Officer, Department of Science and Technology, Government of West Bengal, or his nominee;(o)one nominee of the Indian Council of Agricultural Research;(p)one nominee of tea research association;(q)two eminent scientists, nominated by the State Government;(r)one scientist from each regional research station, nominated by the Director of Research.(6)The Vice-Chancellor shall be the Chairman, and the Director of Research shall be the Secretary, of the research council.(7)The term of office of the nominated members of the research council shall be four years and may be extended by another term of four years.(8)The research council shall meet at least once in six months and one-third of the total number of members of the research council plus one shall be a quorum for a meeting of the research council.

17. Powers and functions of research council.

- The research council shall exercise the following powers and perform the following functions :-(a)to delineate research priorities and mandates formulate research programmes therefrom for execution by the research units or stations of the University;(b)to update and recast research programmes as it may consider necessary;(c)to recommend to the Executive Council for the administration of any funds placed at the disposal of the University for purposes of research;(d)to review and monitor the research programmes of research units or stations and research projects under the University, to consider the financial requirements of research programmes, and to prepare annual research budget of the University for its approval by the Executive Council;(e)to make proposals to the Executive Council for creating the provisions for enabling the University to undertake specialised or advanced research and for organisation of specialised laboratories for undertaking advanced research in the University;(f)to compile annual reports of research units or stations and research projects and to prepare each year the annual research report of the University and to submit it to the Executive Council;(g)to provide for the inspection of, or investigation into, the research affairs of the University and submit report to the Executive Council;(h)to call for such report or information as the research council may consider necessary for efficient discharge of its

duties from the research units or stations and from persons in-charge of research projects under the University, and to submit it to the Executive Council;(i)to make proposals to the Executive Council for promotion of research and, through special committees, if any, constituted for the purpose, to call for reports on such research work or programme from persons engaged therein, and to make recommendations to the Executive Council in this behalf;(j)to recommend to the Executive Council different plans and measures for improvement and expansion of research maintained by the University;(k)to constitute such committees as the research council may-consider necessary and to determine the terms of reference thereof in accordance with the provisions of this Act and the Statutes;(l)to consider any other academic matter referred to it by the Academic Council;(m)to exercise all other powers and perform all other functions conferred or imposed on the research council by or under this Act or the Statutes.

18. Agricultural extension education organisation and University Extension Education Council.

(1)Subject to the provision of this Act and the Statutes, the University shall establish an agricultural extension education organisation which shall make available the information obtained on the basis of research to students, extension workers and agriculturists and shall arrange programme for the immediate benefit of such persons, in co-operation with the concerned department of the State Government and other semi-Government and non-Government agencies.(2)The University shall undertake such agricultural extension education activities as are necessary to uplift the conditions of rural living, to increase agricultural production with special emphasis on food production and utilisation, and to multiply nucleus seeds of improved varieties evolved or introduced by the agricultural research organisation.(3)The agricultural extension education organisation shall be developed under the guidance of the Director of Extension Education.(4)In order to administer the extension function, a University Extension Education Council shall be formed by the Executive Council of the University.(5)The University Extension Education Council shall be the policy making body on agricultural extension education in the University.(6)The constitution of the University Agricultural Extension Education Council shall be as follows:-(a)the Vice-Chancellor;(b)the Director of Extension Education;(c)the Director of Research;(d)the Director of Farms;(e)the Registrar;(f)the Deans of the Faculties;(g)the Associate Director of Research;(h)the persons in-charge of regional research stations and Krishi Vigyan Kendra;(i)the Head of the Department of Agricultural Extension Education;(j)the Head of the Department of Agricultural Economics;(k)the Director of Agriculture, Government of West Bengal, or his nominee;(l)the Director of Horticulture, Government of West Bengal, or his nominee;(m)the Director of Panchayats, Government of West Bengal, or his nominee;(n)the Chief Scientific Officer, 'Department of Science and Technology, Government of West Bengal;(o)two Teachers of the University, nominated by the Vice-Chancellor;(p)one representative of the Indian Council of Agricultural Research, nominated by the Vice-Chancellor;(q)five progressive farmers from the area under the jurisdiction of the University, nominated by the Department of Panchayats and Rural Development, Government of West Bengal;(r)one representative of the leading non-Government organisations engaged in the field of agriculture, nominated by the Vice-Chancellor;(s)two eminent scientists to be nominated by the State Government.(7)The Vice-Chancellor shall be the Chairman, and the Director of Extension Education shall be the Secretary, of the University Extension Education Council.(8)The term of

office of the nominated members of the University Extension Education Council shall be four years and may be extended by another term of four years.(9)The University Extension Education Council shall meet at least twice in a year, and one-third of the total number of members of the University Extension Education Council plus one shall be the quorum for a meeting of the University Extension Education Council.

19. Powers and functions of University Extension Education Council.

- The University Extension Education Council shall exercise the following powers and perform the following functions :- (a)to supervise, direct and control all extension activities of the University;(b)to draw and approve the extension education and training programmes for execution through extension wings and Krishi Bigyan Kendra and to review and monitor the extension activities of the University;(c)to compile annual reports of extension wings and Krishi Bigyan Kendra and to prepare each year annual report on extension activities of the University and submit it to the Executive Council;(d)to consider and review the financial requirements for extension programmes and prepare annual budget for extension activities of the University for its approval by the Executive Council;(e)to make proposal to the Executive Council on different plans and measures for improvement and promotion of extension education and training programmes maintained by the University;(f)to make provisions for the publication of extension newsletters, bulletins, and periodicals from time to time for providing updated knowledge on technology development in agriculture and allied sciences to the farmer community;(g)to consider any other academic matter referred to it by the Academic Council;(h)to exercise all other powers and perform all other functions conferred or imposed on it by or under this Act or the Statutes.

20. Board of Examinations.

(1)The Board of Examinations shall have the following members -(a)the Vice-Chancellor;(b)the Deans of Faculties;(c)the Dean, Students' Welfare;(d)the Registrar; and(e)the Deputy Registrar (Examination).(2)The Vice-Chancellor shall be the Chairman, and the Registrar shall be the Secretary, of the Board of Examinations.(3)The duties of the Board of Examinations shall be-(a)to organise and supervise the conduct of University Examinations;(b)to appoint internal and external examiners where necessary;(c)to review and moderate results, where necessary, in accordance with the rules as may be prescribed from time to time;(d)to provisionally declare the results of the University examinations and to recommend to the Academic Council and the Executive Council the award of the degrees of the University for their approval.

21. Election Tribunal.

(1)There shall be an Election Tribunal to which shall be referred any question as to whether any person is eligible under this Act for election or nomination or has been duly elected or nominated as, or is entitled to be, a member of any authority or body of the University, and the decision of the Election Tribunal on such question shall be final.(2)The constitution of the Election Tribunal shall be prescribed by Statutes.(3)If, during the progress of any election of members to any authority or body or organisation of the University, the Election Tribunal is satisfied that such election is vitiated

by fraud or corrupt practice, the Election Tribunal may make an order annulling the proceedings in respect of such election or any part thereof, and directing fresh proceedings to be started in accordance with the provisions of this Act and the Statutes, the Ordinances and the Regulations from such stage as may specified in the order, and such order of the Election Tribunal shall be final.(4)No suit or proceedings shall lie in any civil court against a decision or an order of the Election Tribunal under sub-section (1) or sub-section (3), as the case may be.

22. Validation.

(1)No act or proceeding of any authority or body of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its members or by reason of any person having taken part in proceedings is subsequently found not to have been entitled to do so.(2)Save as otherwise provided in this Act, all acts done and orders passed in good faith by the University or any of its authorities shall be final, and no suit shall be initiated against, or damage claimed from, the University or any of its authorities for anything done or purported to have been done in pursuance of this Act or the Statutes or the Regulations thereunder.(3)No suit, prosecution or other proceeding shall lie against any officer or other employee of the University for any act done or purported to have been done under this Act or the Statutes without the previous sanction of the Executive Council.(4)No officer or other employee of the University shall be liable for any such act in any civil or criminal proceeding, if such act was done in good faith in the discharge of his duties imposed on him by or under this Act.Explanation.-For the avoidance of doubt, it is hereby declared that where the office of any member of any authority or body of the University cannot be filled up on account of any election or appointment not being, for any reason, feasible, there shall be deemed to be a vacancy in the office of such member until such election takes place or such appointment is made.

Chapter IV

Officers of the University

23. Officers of the University.

- The University shall consist of the following officers :-(1)the Vice-Chancellor;(2)the Registrar;(3)the Comptroller;(4)the Librarian;(5)the Director of Research, the Director of Extension Education, and the Director of Farms;(6)such other persons as may be declared by the Statutes to be the officers of the University.

24. Chancellor.

(1)The Governor of West Bengal shall be the Chancellor of the University.(2)The Chancellor shall be the head of the University and shall, when present, preside at any convocation of the University and confer degrees, diplomas or other academic distinctions upon persons entitled to receive them.(3)The Chancellor shall exercise such other powers and perform such other duties as may be conferred or imposed on him by this Act.

25. Vice-Chancellor.

(1)The Vice-Chancellor shall be appointed by the Chancellor in consultation with the Minister from a panel of three names of eminent persons in the field of agriculture and allied sciences, elected by the Council in accordance with the system of simple majority of votes.(2)The Vice-Chancellor shall be the whole-time officer of the University, shall hold office for a period of four years, and shall be eligible for reappointment for a further period of four years.Provided that no person shall hold the office of the Vice-Chancellor for more than eight years in aggregate :Provided further that the Vice-Chancellor shall retire from office if, during the term of his office including the term of re-appointment, he attains the age of 65 years :Provided also that the Vice-Chancellor may, by writing under his hand addressed to the Chancellor and after two months, notice, resign his office.(3)The emoluments and other conditions of service of the Vice-Chancellor shall be such as the Chancellor may decide in consultation with the State Government, and shall not be varied to his disadvantage on his reappointment.(4)During the temporary absence of the Vice-Chancellor on leave or for any other reason, the Chancellor, in consultation with the Minister, may appoint any person to exercise the powers and perform the duties of the Vice-Chancellor.(5)The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under sub-section (2) or a person is appointed to exercise the powers and perform the duties of the Vice-Chancellor under sub-section (4).

26. Powers and functions of Vice-Chancellor.

(1)The Vice-Chancellor shall be the principal administrative and academic officer of the University and shall be the ex officio Chairman of the Executive Council and the Academic Council. He shall, in the absence of the Chancellor, preside at the convocation of the University and confer degrees, diplomas and other distinctions on persons entitled to receive them. He shall also be entitled to be present at, and to address any meeting of, any other authority or body of the University of which he may be a member. He shall also be entitled to be present at, and to address any meeting of, any other authority or body of which he may not be a member, but shall not be entitled to vote thereat.(2)The Vice-Chancellor shall exercise general control over the affairs of the University and shall be responsible for the due maintenance of discipline in the University.(3)The Vice-Chancellor shall convene the meeting of the Executive Council and the Academic Council.(4)The Vice-Chancellor shall ensure the faithful observance of the provisions of this Act and the Statutes and the Regulations, and he shall have such power as may be necessary for discharging his duties in this behalf.(5)The Vice-Chancellor shall be responsible for the presentation of the annual financial estimates and annual accounts and balance sheet to the Council.(6)The Vice-Chancellor may take, on behalf of the University, any action in an emergency which, in his opinion, calls for immediate action. He shall, in such cases and as soon as may be thereafter, report such action to the authority or body which shall ordinarily have dealt with the matter:Provided that if the action taken by the Vice-Chancellor is not approved by such authority or body, the matter shall immediately be referred to the Chancellor whose decision thereon shall be final.(7)Subject to the foregoing provisions of this

section, the Vice-Chancellor shall give effect to the orders of the Executive Council regarding the appointment, suspension, and dismissal of officers, Teachers and other employees of the University.(8)Where any action taken by the Vice-Chancellor under sub-section (6) affects any person in the service of the University to his disadvantage, such person may prefer an appeal to the Executive Council within 30 days from the date on which such person has notice of the action taken.(9)The Vice-Chancellor shall be responsible for the proper administration of the University and for close co-ordination of teaching, research and extension education.(10)The Vice-Chancellor shall exercise such other powers and discharge such other duties as may be delegated to him by any authority or body of the University or as may be prescribed by Statutes, Ordinances or Regulations.(11)The Vice-Chancellor may, with the approval of the Executive Council, at any time delegate any of his powers, other than the power referred to in sub-section (6), to any other officer subordinate to him.(12)The Vice-Chancellor may, at his discretion, like to be associated, directly or indirectly, with teaching, research, extension programme, or any other activities within the University.

27. The Registrar.

(1)The Registrar shall be a whole-time officer of the University and shall be appointed by the Vice-Chancellor with the approval of the Council and the Chancellor on such terms and conditions as may be prescribed.(2)The salary and allowances payable to the Registrar shall be such as may be prescribed.(3)The Registrar shall be responsible for the due custody of the records and the common seal of the University. He shall, by virtue of his being the ex officio member-secretary to the Council, place before the Council all such information as may be necessary for the transaction of business. He shall keep a permanent record of all courses, curricula and other information as may be deemed necessary.(4)The Registrar shall be responsible for maintaining a permanent record of the academic performance of students including the courses taken, grades obtained, degrees awarded, prizes or other distinctions owned and any other items pertinent to their academic performance.(5)The Registrar shall perform such other duties as may be prescribed or as may be assigned to him by the Council or the Vice-Chancellor.

28. The Comptroller.

(1)The Comptroller shall be a whole-time officer of the University and shall, subject to the approval of the Chancellor, be appointed by the Vice-Chancellor with the approval of the Council on such terms and conditions as may be prescribed.(2)The Comptroller shall advise the University in regard to its financial policy.(3)The salary, allowances and other conditions of service of the Comptroller shall be such as may be prescribed.(4)The Comptroller shall manage the funds and investments of the University and shall advise in regard to its financial policy.(5)The Comptroller shall be responsible to the Vice-chancellor in the preparation of the budget and the statement of accounts of the University.(6)The Comptroller shall be responsible to the Vice-Chancellor for ensuring that expenses are made in terms of authorisation in the budget. When any revision of the budget is needed in connection with any new programmes or changed requirements or for other reasons, he shall prepare a revised or supplementary budget and cause it to be placed before the authority to whom such revised or supplementary budget shall ordinarily have been placed for approval. He may

disallow any expenditure which may contravene the terms of any Statute or for which provision is required to be made by Statute.

29. The Librarian.

(1)The Librarian shall be appointed by the Vice-Chancellor with the approval of the Council and shall be responsible for all matters concerning the library.(2)The salary, allowances and other conditions of service of the Librarian shall be such as may be prescribed.

30. The Dean.

(1)There shall be a Dean for each Faculty who shall be selected by the Vice-Chancellor from amongst the Professors of the concerned Faculty and shall be appointed by the Vice-Chancellor with the approval of the Council.(2)The Dean shall be a whole-time officer of the University and shall act as the Chairman of the Faculty and shall be responsible to the Vice-Chancellor for the faithful observance of the Statutes and the Regulations relating to the Faculty In carrying out these responsibilities, the Dean shall work in close collaboration with other officers of the University and shall generally work through the Heads of Departments of the Faculty.(3)The salary, allowances and other conditions of service of the Dean shall be such as may be prescribed.(4)The Dean may, at the discretion of the Vice-Chancellor, be associated, directly or indirectly, with teaching, research, extension programme or any other activities within the Faculty.(5)The Dean shall hold office for a period of four years and shall be eligible for re-appointment for a further period of four years :Provided that no person shall hold office of the Dean for more than eight years in aggregate :Provided further that the Dean shall retire from the post if, during the term of his office including the term of re-appointment, he attains the age of sixty years.(6)The Dean shall have such other duties and perform such other functions as may be assigned to him by Statutes.

31. The Director of Research.

(1)There shall be a Director of Research who shall be a whole-time officer of the University. He shall be appointed by the Vice-Chancellor with the approval of the Council, subject to such terms and conditions as may be prescribed.(2)The Director of Research shall act as the member-secretary of the research council and shall be responsible to the Vice-Chancellor for the faithful observance of the Statutes and the Regulations relating to the research council.(3)The salary, allowances and other conditions of service of the Director of Research shall be such as may be prescribed.(4)The Director of Research shall hold office for a period of four years and shall be eligible for re-appointment for a further period of four years :Provided that no person shall hold office of the Director of Research for more than eight years in aggregate :Provided further that the Director of Research shall retire from the post if, during the term of his office including the term of re-appointment, he attains the age of sixty years.(5)The Director of Research shall be in overall charge of research administration of the University. He shall have general supervision and control over the research stations and the staff attached thereto.(6)The Director of Research may also be associated with teaching, research and extension programmes within the University, besides discharging his normal duties (as officer) for which he shall be appointed.(7)The Director of Research shall exercise such other powers and

perform such other duties as may be conferred or imposed on him by Statutes.

32. The Director of Extension Education.

(1) There shall be a Director of Extension Education who shall be a whole-time officer of the University. He shall be appointed by the Vice-Chancellor with the approval of the Council, subject to such terms and conditions as may be prescribed. (2) The Director of Extension Education shall act as the member-secretary of the extension council and shall be responsible to the Vice-Chancellor for the faithful observance of the Statutes and the Regulations relating to the extension council. (3) The salary, allowances and other terms and conditions of service of the Director of Extension Education shall be such as may be prescribed. (4) The Director of Extension Education shall hold office for a period of four years and shall be eligible for re-appointment for a further period of four years : Provided that no person shall hold office of the Director of Extension Education for more than eight years in aggregate. Provided further that the Director of Extension Education shall retire from the post if, during the term of his office including the term of reappointment, he attains the age of sixty years. (5) The Director of Extension Education shall be in overall charge of extension education organisation of the University. He shall have general supervision and control over the extension wing and Krishi Vigyan Kendra and the staff attached thereto. (6) The Director of Extension Education may also be associated with teaching, research and extension programme within the University besides discharging his normal duties (as officer) for which he shall be appointed. (7) The Director of Extension Education shall exercise such other powers and perform such other duties as may be conferred or imposed on him by Statutes. (8) The Director of Extension Education may, at the discretion of the Vice-Chancellor; be associated with teaching, research and extension programme within the University.

33. Dean, Students' Welfare.

(1) There shall be a Dean, Students' Welfare, who shall be a Dean, whole-time officer of the University and shall be directly responsible to the Vice-Chancellor in carrying out his duties and responsibilities mentioned in the Statutes and the Regulations. (2) The Dean, Students' Welfare, shall be appointed by the Vice-Chancellor with the approval of the Council on such terms and conditions as may be prescribed. (3) The Dean, Students' Welfare, shall be the chief coordinator to promote students' welfare activities including all extra-curricular activities. (4) The Dean, Students' Welfare, shall be responsible for proper maintenance of students' discipline in the hostels, messes and various functions and activities. (5) The Resident Supervisor-cum-National Service Scheme Coordinator and all other staff related with students' welfare shall be under the administrative control of the Dean, Students' Welfare. (6) All funds related with the students' welfare shall be maintained by the Dean, Students' Welfare. (7) The Dean, Students' Welfare, shall be in charge of student placement cell and shall also be in charge of campus interviews, if required by private agencies. (8) The Dean, Students' Welfare, shall organise coaching classes for service examination and shall explore the possibilities of obtaining scholarships, fellowships, endowments, and medals from different organisations or agencies. (9) The Dean, Students' Welfare, shall exercise such other powers and perform such other duties as may be conferred or imposed on him by Statutes,

34. The Director of Farms.

(1) There shall be a Director of Farms who shall be a whole-time officer of the University. He shall be appointed by the Vice-Chancellor with the approval of the Council, subject to such terms and conditions as may be prescribed. (2) The Director of Farms shall be responsible to the Vice-Chancellor for the faithful observance of the Statutes and the Regulations and such orders as may be issued by the Vice-Chancellor from time to time. (3) The salary, allowances and other terms and conditions of service of the Director of Farms shall be such as may be prescribed. (4) The Director of Farms shall hold office for a period of four years and shall be eligible for re-appointment for a further period of four years : Provided that no person shall hold office of the Director of Farms for more than eight years in aggregate : Provided further that the Director of Farms shall retire from the post if, during the term of his office including the term of re-appointment, he attains the age of sixty years. (5) The Director of Farms shall discharge such other duties and perform such other works as may be assigned to him by Statutes.

Chapter V

Appointment of Teachers, officers and other employees

35. Appointment of Teachers.

(1) A Teacher in the rank of Professor or of Reader of the University shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of -(a) the Vice-Chancellor as Chairman; (b) the Dean of the concerned Faculty and the Director of Research or the Director of Extension Education, depending upon the primary assignment of the post to be recruited; (c) three external members not holding any office of profit under the University, having special knowledge of the subject which the Professor or the Reader will teach or work, of whom two shall be the nominees of the Chancellor and one shall be a nominee of the Executive Council. (2) A Teacher of the University, other than a Teacher in the rank of Professor or of Reader, shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of -(a) the Vice-Chancellor as Chairman; (b) the Dean of the concerned Faculty and the Director of Research or the Director of Extension Education, depending upon the primary assignment of the post to be recruited; (c) three external members not holding any office of profit under the University, having special knowledge of the subject which the Teacher will teach or work, of whom one shall be a nominee of the Chancellor and two shall be the nominees of the Executive Council. (3) Four members shall be a quorum for a meeting of the Selection Committee for the posts in the rank of Professor and Reader of the University where at least two expert members shall be present, and three members, of whom one shall be an expert, shall be a quorum for a meeting of the Selection Committee for the posts in the rank of Lecturer of the University. (4) If, due to any reason, the majority members of the Executive Council do not accept the recommendation of a Selection Committee, it shall refer the recommendation back to the Selection Committee with reasons for reconsideration and if the majority members of the Executive Council do not accept the reconsidered views of the Selection Committee, the matter shall be referred to the Chancellor with reasons and the decision of the Chancellor thereon shall be final.

36. Appointment of officers.

(1) An officer in the rank of Registrar, Dean, or Director of the University in the scale of Professor or above, shall be appointed by the Executive Council on the recommendation of a Standing Committee consisting of—(a) the Vice-Chancellor as the Chairman; (b) two nominees of the Chancellor having special experience in academic administration; (c) two Vice-Chancellors of other Universities to be nominated by the Executive Council. (2) An officer of the University in the equivalent scale of Reader or below shall be appointed by the Executive Council on the recommendation of a Standing Committee consisting of—(a) the Vice-Chancellor as the Chairman; (b) two nominees of the Chancellor having special experience in academic administration; (c) one senior officer of the University, nominated by the Vice-Chancellor. (3) Four members shall be a quorum for a meeting of the Standing Committee for the posts of Registrar, Dean, or Director and such other posts of the University in the equivalent scale of pay and three members shall be a quorum for a meeting of the Standing Committee for the posts of other officers in the scale of pay equivalent to the scale of pay of the Reader or below. (4) If the majority members of the Executive Council do not accept the recommendation of the Standing Committee, it shall refer the recommendation back to the Standing Committee with reasons for reconsideration, and if the majority members of the Executive Council do not accept the reconsidered views of the Standing Committee, the matter shall be referred to the Chancellor with reasons and the decision of the Chancellor thereon shall be final.

37. Other employees.

- All categories of non-teaching employees shall be appointed by the Executive Council on the recommendation of a Standing Committee consisting of—(a) one of the officers not below the rank of Registrar, Dean, or Director, nominated by the Vice-Chancellor as Chairman; (b) two officers nominated by the Vice-Chancellor as members.

38. Qualifications of Teachers etc.

- The qualifications of Teachers, officers and other employees shall be determined by the Executive Council.

39. Number of Teachers etc.

- The number of Teachers, officers and other employees shall, unless otherwise provided in this Act, be such as may be prescribed by the Executive Council.

40. Letter of appointment.

- Every Teacher, every officer and every employee of the University shall, on appointment as such, be provided with a letter of appointment containing such terms and conditions of appointment as may be prescribed by the Executive Council.

41. Recruitment by advertisement.

- For the purpose of recruitment of Teachers and officers of the University, an advertisement shall be made at least in two leading newspapers, and for the purpose of recruitment of other employees of the University, the mode of advertisement shall be such as may be prescribed by the Executive Council.

42. Approval of State Government for creation of post etc.

- No post of any Teacher, officer or other employee shall be created, or appointment thereto shall be made, without the approval of the State Government :Provided that the approval of the State Government shall not be necessary for filling up any sanctioned post by a candidate who possesses the prescribed qualifications.

43. Retirement of Teachers.

- Every Teacher of the University who is in receipt of pay in the revised scale of pay as in force on the appointed day shall retire from service on attaining the age of sixty years.

44. Tribunal.

(1)If, in the case of any dispute between the University and any Teacher, officer or other employee of the University, no final order has been passed by the University within a period of one year from the date on which the dispute was referred to the University by such Teacher, officer or other employee, such dispute shall, on the request of such Teacher, officer or other employee, be referred to a Tribunal consisting of the following members :-(a)a Chairman, who shall be nominated by the Chancellor in consultation with the Minister;(b)one person to be nominated by the Executive Council;(c)one person to be nominated by the Teacher, officer or other employee concerned.(2)Any appeal from any Teacher, officer or other employee of the University in a disciplinary matter shall be referred to the Tribunal and shall be decided and disposed of by the Tribunal.(3)The Tribunal may call for any record, report or other information from the University, if, in its opinion, such record, report or other information is necessary for efficient discharge of its functions, and the University shall furnish such record, report or other information to the Tribunal.(4)The decision of the Tribunal shall be final and no suit or proceeding shall lie in any civil court in respect of the matter decided by the Tribunal.(5)Every request under sub-section (1) shall be deemed to be a submission to arbitration upon the terms of this section, within the meaning of the Arbitration Act, 1940, and all the provisions of that Act, with the exception of section 2 thereof, shall apply accordingly.

Chapter VI

University funds and accounts

45. General fund.

- The University shall have a general fund to which shall be credited-(1)its income from fees, endowments, grants, donations and gifts, if any;(2)any contribution or grant made by the Central Government or any State Government or the University Grants Commission established under section 4 of the University Grants Commission Act, 1956, or any like authority or any local authority or the Indian Council of Agricultural Research, and other receipts.

46. Other funds.

- The University may have such other funds as may be prescribed by Statutes.

47. Management of fund.

- The funds of all moneys of the University shall be managed in such manner as may be prescribed.

48. Grants.

(1)The State Government shall make every year the following lump sum grants to the University :- (a) a grant being not less than the net expenditure incurred in the previous year in respect of the activities of the institutions of agriculture and allied sciences and such Departments of the State Government relating to agriculture and allied sciences as are transferred to the University; (b) a grant being not less than the estimated expenditure on account of pay and allowances of the employees and contingencies, supplies and services of the University, and (c) a grant to meet such additional items of expenditure, recurring and non-recurring, as the State Government may deem fit for the proper function of the University. (2)The University shall furnish such statements, accounts, reports and other information relating to any grant made by the State Government and its utilisation as that Government may require. (3)Except where the Chancellor, in consultation with the Minister, recommends, no fund or grant of the University shall be diverted from one head of account to another.

49. Annual accounts.

(1)The annual accounts prepared by the Comptroller shall be submitted to such examination and audit as the State Government may direct, and a copy of the annual accounts and the audit report shall be submitted to the State Government. (2)The University shall settle the objections, if any, raised in the audit report and shall carry out such instructions thereon as the State Government may issue from time to time. (3)The State Government shall cause the annual accounts and the audit report to be laid before the State Legislature together with its comments thereon. (4)The Comptroller shall, before such date as may be prescribed by Statutes, prepare the annual financial estimates for the next year. (5)The annual accounts and the financial estimates prepared by the Comptroller shall be placed before the Executive Council for approval at its annual meeting, and the Council may pass resolution with reference thereto and communicate the same to the Comptroller, who shall take

appropriate action in accordance with such resolution.

Chapter VII

Statutes, Regulations and rules

50. Statutes.

- Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters :-(1)the constitution, powers and duties of the authorities of the University;(2)the powers, functions, duties, manner of appointment and terms and conditions of service of the officers, other than the Vice-Chancellor;(3)the designation, manner of appointment and terms and conditions of service of the Teachers of the University and other employees (other than the officers);(4)the conferment and withdrawal of honorary degrees and academic distinctions;(5)the establishment, amalgamation, sub-division and abolition of Faculties;(6)the establishment of Departments of Teaching in the Faculties;(7)the procedure of appointment, emoluments and other conditions of service of the Vice-Chancellor;(8)the institution of pension, provident fund and insurance scheme for the benefit of the employees;(9)the constitution of different authorities and Students' Union;(10)such other matters as are required to be, or may be, prescribed by Statutes.

51. How to make Statutes.

(1)The first Statutes with regard to the matters set out in sub-sections (1) to (10) of section 50 shall be made by the State Government within three months of the appointed day.(2)Additional Statutes may subsequently be made on all matters required to be prescribed.(3)Every Statute to be made by the University shall be considered and approved by the Executive Council and the Chancellor.

52. Regulations and rules.

- Any of the authorities of the University may make Regulations and rules, not inconsistent with the provisions of this Act or the Statutes, for the purpose of-(1)laying down the procedure to be observed at its meetings and the number of members required to form the quorum; and(2)providing for matters which, by this Act or the Statutes, are required to be regulated by Regulations or rules.

Chapter VIII

Transfer of campus, research stations, employees and funds

53. Transfer of campus, research stations and Krishi Vigyan Kendra.

(1)Notwithstanding anything contained in any other law relating to the establishment of a University in West Bengal for the time being in force, or the Statutes, Ordinances, Regulations, or orders made thereunder, on and from the appointed day, the North Bengal campus at Pundibari, regional research stations and sub-stations of Hill and Old Alluvial Zone and Krishi Vigyan Kendra

at Kalimpong shall stand disaffiliated from the Bidhan Chandra Krishi Viswavidyalaya (hereinafter referred to in this Act as the former University) and be transferred to, and maintained by, the University immediately preceding such day.(2)On and from the appointed day, the control and management of the North Bengal campus, research stations, sub-stations and Krishi Vigyan Kendra referred to in sub-section (1), and all properties and assets, movable or immovable, and all liabilities of the former University in relation thereto shall stand transferred to, and vest in, the University.(3)The State Government may, at any time after the appointed day, transfer to the University the control and management of any of its colleges, research stations, farms, or extension organisations on such terms and conditions as that Government deems fit and proper.

54. Special provision for students.

- Notwithstanding anything contained in this Act, every student of North Bengal campus of the former University referred to in sub-section (1) of section 48, who, immediately before the appointed day, was studying in that campus or was eligible for any examination in the former University shall be permitted to complete his course of study or to be admitted to the examination in the University and the University shall make arrangements-(a)for the instruction, teaching, training and holding examination in such manner as may be determined by the Chancellor in accordance with the courses of study in the former University; and(b)for the conferment of the corresponding degree, diploma or other academic distinction of the University upon the qualified students on the results of such examination.

55. New college to be constituted.

- On and from the appointed day no new college imparting education in agriculture and allied sciences shall be established except as a constituent college of the University.

56. Transfer of service of certain employees to the University.

(1)As soon as may be after the appointed day, the State Government may, in consultation with the Vice-Chancellor, direct, by general or special order, that such of the employees of the State Government as are specified in the order shall be transferred to the University with effect from such date, as may be mentioned therein.(2)The State Government may, in consultation with the Vice-Chancellor, request the former University to depute by order such employees of the former University temporarily to the University for initial establishment and for such period as may be specified in the order :Provided that no such order shall be issued in respect of any employee without the consent of such employee.(3)The employees referred to in sub-section (1) and sub-section (2) shall hold office under the University, subject to such terms and conditions, not being less advantageous than what they were entitled to immediately before the day of transfer or deputation, as the case may be, to the University, as may be determined by the University by Statutes.

57. Transfer of employee to former University.

(1) Every employee, who, immediately before the appointed day, was employed in the North Bengal campus, regional research stations and sub-stations of Hill and Old Alluvial Zone, and Krishi Vigyan Kendra at Kalimpong of the former University shall, on and from the appointed day, be the employee of the University and shall cease to be an employee of the former University; Provided that such employee may exercise option for his retention by the former University and, thereupon, the former University shall absorb such employee in the vacant post of the same category, if any, in the former University: Provided further that the employees who have exercised option under the first proviso shall continue to remain to be the employees of the former University and shall be treated to be on deputation without payment of any deputation allowance till such employees are absorbed in the vacant posts of the same category in the former University. (2)(a) The process of absorption of the employees of the former University exercising option under the proviso to sub-section (1) in the vacant posts in the former University shall remain open for such period, not being less than five years, as may be decided by the committee constituted by the State Government under section 60. (b) Till such time as the process of absorption of the employees of the former University exercising option under the proviso to sub-section (1), in the various posts which have fallen vacant or will fall vacant in the former University in the same category is completed, the former University shall not fill up such vacancies in the same category, either by way of promotion or otherwise. (3)(a) As soon as may be after the appointed day, the State Government, in consultation with the Vice-Chancellor and the former University, may, by general or special order, transfer such employees of the former University, who seek option for transfer to the University, other than those mentioned in sub-section (1), on the day immediately before the appointed day, as the State Government may consider necessary and, thereupon, such employees shall, with effect from such date as may be specified in the order, stand transferred to the University: Provided that no such order shall be issued without the consent of the employee concerned. (b) Upon such transfer, the employees shall, with effect from the date specified in the order under this sub-section, be the employees of the University and shall cease to be the employees of the former University: Provided that such process of transfer of employees of the former University to the University shall remain open for such period, not being less than five years, as may be decided by the committee constituted by the State Government under section 60. (4) Every employee referred to in sub-section (1) or sub-section (3) shall hold office in the University on the same terms and conditions and on the same rights and privileges as to pension and gratuity as were admissible to such employee on the day immediately before the appointed day or on the date specified in the order, as the case may be, as if this Act had not been passed. (5) The liability to pay pension, gratuity and other terminal benefits to the employees referred to in sub-section (1) and sub-section (3) shall be the liability of the University. (6) The seniority of Teachers, officers and non-teaching employees of the former University after transfer to the University, shall be determined after calculating the years of recognised services rendered by such Teachers, officers and non-teaching employees in the former University before such transfer in identical posts or cadres. (7) The services rendered in, or recognised by, the North Bengal campus, regional research stations and sub-stations of Hill and Old Alluvial Zone, and Krishi Vigyan Kendra at Kalimpong of the former University or any other constituent unit of the former University, or the State Government shall be recognised by the University for the purposes of this Act. (8) All promotions, financial benefits, and service benefits,

sanctioned by the State Government in favour of the employees of the North Bengal campus, regional research stations and sub-stations of Hill and Old Alluvial Zone, and Krishi Vigyan Kendra at Kalimpong of the former University or of the employees of the former University transferred to the University under sub-section (3) shall be given effect to.(9)The inter se seniority and overall seniority of every employee referred to in sub-section (1) and sub-section (3) shall be maintained by the University in accordance with the provisions of the Statutes and the Regulations made in this behalf.(10)Notwithstanding anything contained in the foregoing provisions of this section, such of the Teachers, officers and non-teaching employees of the North Bengal campus, regional research stations and sub-stations of Hill and Old Alluvial Zone and Krishi Vigyan Kendra at Kalimpong of the former University and such employees transferred to the University under subsection (3) as were granted pro rata pension (in lump) shall, upon transfer to the University, be eligible for pension and other terminal benefits, and the recognised services rendered by all such employees in the former University shall count towards such pension and terminal benefits.(11)The State Government may, by order, issue any clarification, or give any direction, for giving effect to the provisions of this section.

58. Transfer of provident fund.

- The sums at the credit of provident fund accounts of the employees, referred to in sub-section (1) of section 57 on the day immediately before the appointed day, and the sums at the credit of provident fund accounts of the employees referred to in sub-section (3) of that section, as on the date specified in the order under the said sub-section (3), shall be transferred to the University, and the liability in respect of the said provident fund accounts shall thereafter be the liability of the University.

59. Payment of certain money by the former University.

(1)The former University shall pay such amounts of all the funds, retained or deposited in favour of the North Bengal campus, regional research stations and sub-stations of Hill and Old Alluvial Zone and Krishi Vigyan Kendra at Kalimpong, to the University immediately after the appointed day, as the State Government may direct.(2)If the former University receives on or after the appointed day any fund from any funding agency out of any previous sanction for the North Bengal campus, regional research stations and sub-stations of Hill and Old Alluvial Zone and Krishi Vigyan Kendra at Kalimpong under the former University, the former University shall transfer such fund directly to the University immediately.(3)The amount payable under sub-section (1) and sub-section (2) shall be in addition to the amounts transferred under section 58.

60. Advisory committee.

- For aiding and advising the State Government for giving effect to the provisions of this chapter, the State Government may constitute a committee comprising the following persons :-(1)the Vice-Chancellor;(2)the Vice-Chancellor of the former University;(3)the Secretary, Department of Agriculture, Government of West Bengal or his representative;(4)the Secretary, Finance Department, Government of West Bengal or his representative;(5)the Registrar;(6)the Director of

Research, the Director of Extension Education, and the Director of Farms;(7)the Director of Research of the former University.

Chapter IX

Division of assets of the former University

61. Division of assets.

(1)The State Government may, by notification in the Official Gazette, transfer such assets and liabilities including lands, buildings, books, equipments and laboratories belonging to the former University as may be considered necessary for the proper functioning of the University, keeping in view the overall interest of the former University and the University.(2)All buildings, lands, research farms and other properties belonging to the former University and located within the northern districts of Darjeeling, Jalpaiguri, Cooch Behar, Uttar Dinajpur, Dakshin Dinajpur and Malda shall, from the appointed day, stand transferred to the University.

Chapter X

Transitory provisions and removal of difficulties

62. Appointment of first Vic.

- Chancellor.-(1) Notwithstanding anything contained in section 25, the first Vice-Chancellor shall be appointed by the Chancellor, as recommended by the State Government, for a period not exceeding four years and on such terms and conditions as the State Government may decide.(2)The first Vice-Chancellor shall, within three months from the date of his appointment, make arrangements for constituting the Executive Council, the Academic Council, the Faculty Council and the Departmental Committee.

63. Appointment of first Deans.

- Notwithstanding anything contained in section 27, section 28, and section 31, section 32, and section 34, the first Registrar, the first Comptroller and the first Director of Research, the first Director of Extension Education, and the first Director of Farms shall be appointed by the State Government in consultation with the Vice-Chancellor for a period not exceeding four years and on such terms and conditions as the State Government may decide.

64. Appointment of first Deans.

- Notwithstanding anything contained in section 30, the first Deans shall be appointed by the Vice-Chancellor with the approval of the Executive Council within three months of his appointment, for a period not exceeding one year and on such terms and conditions as the Executive Council may decide.

65. Removal of difficulty.

- If any difficulty arises in giving effect to the provisions of this Act, the State Government may take such steps, or issue such orders, not inconsistent with the provisions of this Act, as may be necessary for the removal of such difficulty.

66. Delegation of powers.

- The Council may by order delegate to any officer or authority of the University any of its powers or functions under this Act, to be exercised or performed by such officer or authority, subject to such conditions or restrictions as may be specified in the order.