

# Maharana Partap Horticultural University, Karnal Act, 2015

HARYANA

India

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### Act 32 of 2016

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Maharana Partap Horticultural University, Karnal Act, 2015(Haryana Act No. 32 of 2016)[Dated 28.11.2016]Haryana GovernmentLaw and Legislative DepartmentNo. Leg. 36/2016. - The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 22nd November, 2016 and is hereby published for general information:-An Act to establish and incorporate a University in the State for the purposes of affiliating, teaching and ensuring proper and systematic instruction, training, research and extension in modern systems of horticultural sciences, vegetable sciences and allied sciences and for the matters connected therewith or incidental thereto.Be it enacted by the Legislature of the State of Haryana in the Sixty-sixth Year of the Republic of India as follows :-Chapter-1 Preliminary

### 1. Short title and commencement.

(1)This Act may be called [Maharana Partap Horticultural University] [Substituted 'the Haryana State University of Horticultural Sciences' by Haryana Act No. 20 of 2017, dated 30.5.2017.], Karnal Act, 2015.(2)It shall come into force with immediate effect.

### 2. Definitions.

- In this Act, Statutes and Regulations made thereunder, unless the context otherwise requires,-(a)"Academic Council" means the Academic Council of the University;(b)"affiliated college" means a college or an institution admitted to the privileges of the University under this Act;(c)"Board" means the Board for the management of the University constituted under section 10;(d)"College" means the College of Horticulture at Karnal or any such college, as may be established and maintained by the University;(e)"Department" means department of the University;(f)"employee" means any person appointed by the University including teachers and other staff;(g)"existing university" means Chaudhary Charan Singh Haryana Agriculture University,

Hisar;(h)"extension education" means the educational activities concerned with the training of horticulturist, para-horticulture staff, horticulture farmers, home makers and other groups concerned with horticulture, welfare, improved horticulture practices and various phases of scientific technology related to horticulture production and marketing and includes demonstration to carry the new technology and innovation of horticulture farms and farm homes through the Department of Horticulture, Department of Vegetable or any other designated department or agency;(i)"hostel" means a unit of residence for students;(j)"Horticulture" means the basic and allied sciences of fruits, vegetables, floriculture, plantation of crops, spices, medicinal and aromatic plants and shall include mushroom growing, landscaping, bee-keeping and production, marketing and processing of horticultural produce;(k)"institution" means any centre or other institution providing training for degree, diploma, certificate or other academic distinction;(l)"prescribed" means prescribed by the Statutes and Regulations made under this Act;(m)"State" means the State of Haryana;(n)"State Government" means the Government of the State of Haryana;(o)"Statutes" and "Regulations" mean respectively the Statutes and Regulations of the University made under this Act;(p)"student" means a person enrolled in the University or College or affiliated college or institution for taking a course of study for a degree, diploma, certificate or an academic distinction;(q)"teacher" means a person who is appointed by the University for the purpose of teaching and conducting research and extension on full time basis in College or affiliated College or an institution and includes Director, Dean, Principal, Senior Professor, Professor, Associate Professor, Reader, Assistant Professor, Lecturer;(r)"teaching" means imparting instructions related to Horticulture and allied sciences which shall also include horticultural research and extension;(s)"University" means the Haryana State University of Horticultural Sciences, Karnal.

Chapter-II Establishment of the University

### **3. Establishment of University.**

(1)There shall be established a University by the name of the Haryana State University of Horticultural Sciences, Karnal having jurisdiction all over the State.(2)The University shall be a body corporate by the name as specified in sub-section (1) and shall have perpetual succession and common seal. It shall have the power to acquire, hold and dispose of the property both movable and immovable and shall sue and be sued by the said name. The headquarters of the University shall be at Karnal or at such place, as may be notified by the State Government in the Official Gazette, from time to time.(3)The University shall not except without obtaining the prior approval of the State Government lease, sell or otherwise transfer any immovable property, which may have vested in, or acquired by it.

### **4. Bar on conferring, granting or issuing degree, diploma, certificate or an academic distinction.**

(1)Notwithstanding anything contained in this Act or any other State law for the time being in force, no person or institution, other than the University or College or affiliated college, shall confer, grant or issue or hold himself or itself out as entitled to confer, grant or issue any degree, diploma, certificate or an academic distinction in the specialized area of knowledge assigned to it within territorial jurisdiction of the University which is identical or is a colourable imitation of any degree,

diploma, certificate or an academic distinction conferred, granted or issued by the University.(2)The contravention of the provisions of sub-section (1) shall be an offence punishable with imprisonment up to three years or with fine up to five thousand rupees or with both and shall also be dealt with, in such manner, as may be prescribed.(3)Where an offence under this section has been committed by an institution, every person incharge of, or responsible for the conduct of its business at the time of the commission of the offence, shall be liable to be proceeded against in accordance with Sub-section (2).(4)Notwithstanding anything contained in sub-section (2), where an offence under this section has been committed by a company, firm or an association of persons and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of any partner, director, manager, secretary or other officer of the company, firm or an association of persons, such partner, director, manager, secretary or other officer shall be liable to be proceeded against in such manner, as may be prescribed.

## **5. Teaching in University.**

- All teaching in the University shall be conducted by and in the name of the University in accordance with the Statutes and Regulations made in this behalf.

## **6. Objects of University.**

- The University shall have the following objects, namely:-(a)to impart education in different branches of Horticulture and allied sciences as it may determine, from time to time;(b)to further advancement in learning and research in Horticulture and allied sciences and to undertake extension of such specialized knowledge to the needy people;(c)to undertake study in post-harvest management and marketing strategies of horticulture produce and products;(d)to liaison and establish vital linkage with the concerned departments/ institution/organization of Horticulture of other State Government and Union Government, National and international research institutes and private sector specialized in the field of Horticulture and allied sciences with a view to keep pace with the latest technology;(e)to raise level of education, teaching, research and extension in Horticulture to international standards; and(f)such other objects, as the Board may determine, from time to time.

## **7. Powers and functions of University.**

- The University shall perform the following functions, namely:-(a)to provide facilities for teaching, training and research in Horticulture and allied sciences and to achieve excellence therein and connected fields;(b)to institute degree, diploma, certificate and other academic distinction in Horticulture and allied sciences;(c)to confer honorary degree or other academic distinction in such manner, as may be prescribed;(d)to provide for dissemination of the findings of research and technical information through extension education;(e)to hold examination and to confer degree, diploma, certificate and other academic distinction on person, who has-(i)pursued a particular course of study; or(ii)carried out research in the University in such manner, as may be prescribed;(f)to arrange lectures and teaching for field workers, Horticulture farmers and other

persons, not enrolled as students of the University and to create general awareness amongst farmers and other stake holders;(g)to co-operate with other universities, institutions, organizations and authorities, in such manner and for such purposes, as may be determined by the Board;(h)to establish and maintain college and institution relating to Horticulture and allied sciences;(i)to affiliate college or institution to the University and to withdraw affiliation therefrom;(j)to establish and maintain laboratories, libraries, research stations, processing plants and museums for teaching, research and extension education;(k)to institute, suspend or abolish post of Professor, Associate Professor, Assistant Professor, Teacher and other teaching, research and extension posts in the University and to make suitable appointments thereto;(l)to create, suspend or abolish administrative and other posts and to appoint persons to such posts;(m)to institute, abolish or suspend fellowships, scholarships, studentships and post doctorate and research fellowship, exhibitions, medals and prizes in accordance with the Statutes and Regulations and to undertake publication of work of merit and research pertaining to research in Horticulture and allied sciences;(n)to establish and maintain hostels in the University;(o)to establish and maintain residential accommodation for the employees of the University;(p)to determine, demand and receive fees and such other charges, as may be prescribed;(q)to supervise, control and regulate the conduct and discipline of the students;(r)to manage and control the movable and immovable properties of the University;(s)to receive gifts, donations or benefactions in cash or kind from the Central/State Government or institution or a person and to create corpus fund for the welfare of the University:Provided that no donation from a foreign country, foreign foundation or any individual or an institution in such country or foundation shall be accepted by the University, save with the approval of the State or other competent authority;(t)to accept grant from any institution or any other authority recognized by the Government of India and the State Government;(u)to borrow money with or without security for the purposes approved by the State Government, from the Central Government, any other State Government, Indian Council of Agricultural Research or any other incorporated body, subject to the provisions of this Act;(v)to maintain personality development, counselling training and placement and employment bureau;(w)to do all such other acts and things, whether incidental to the functions aforesaid or not, as may be required in order to further the objects of the University.

## **8. Affiliation.**

(1)On the commencement of this Act, all colleges and other educational institutions of Horticulture and allied sciences in the State admitted to the privileges of or affiliated to the existing university, shall be deemed to be admitted to the privileges of, or affiliated to the University.(2)The colleges and institutions related to various disciplines of Horticulture and allied sciences located within the State including those to be established after the commencement of this Act, on satisfying such conditions, as laid down by the Statutes and Regulations for the purposes of affiliation, shall be affiliated to the University.

Chapter-III Management of the University

## **9. Authorities of University.**

- The following shall be the authorities of the University, namely:-(i)Board;(ii)Academic Council;(iii)Board of Studies; and(iv)such other authority, as may be declared by the Statutes to be

an authority of the University.

## **10. Board.**

(1)The State Government shall, as soon as possible, after the commencement of this Act, constitute a Board for the management of the University.(2)The Board of the University shall consist of the following official and non-official members,-Official members(a)Vice-Chancellor;(b)Administrative Secretaries of the State Government in the Department of-(i)Horticulture; and(ii)Finance;(c)Director /Director General, Horticulture;(d)Deputy Director General (Horticulture) from Indian Council of Agricultural Research;Non-official membersPersons not being officials, appointed by the State Government from amongst the following categories of persons, namely:-(i)a person from amongst the members of the Haryana State Legislative Assembly to be nominated by the Speaker;(ii)a person who in the opinion of the State Government is an eminent Scientist in horticultural sciences with the background of research or extension education or development or administration;(iii)two persons who in the opinion of the State Government are progressive Horticulture farmers, having experience of and interest in Horticulture farming and its improvement;(iv)a person who in the opinion of the State Government is a distinguished industrialist and businessman associated with Horticulture;(v)a woman who in the opinion of the State Government has an outstanding background of rural advancement and Horticulture.(3)The Chancellor shall be the Honorary Chairman, the Vice-Chancellor shall be the Chairman and the Registrar shall be the Secretary of the Board.(4)The term of office of the non-official members of the Board shall be two years.(5)A non-official member of the Board may resign from his office by giving a notice in writing, addressed to the Chairman.(6)The non-official members of the Board shall not be entitled to receive any remuneration for the performance of their functions under this Act, except such daily and travelling allowances, as may be prescribed.

## **11. Technical Advisers to Board.**

- The Board may associate in its meetings all or any of the following persons as Technical Advisers, but the person so associated shall not be entitled to vote at any such meeting,-(a)Director Agriculture, Haryana;(b)two officers invited by the Board from amongst Deans or Directors of the University;(c)Dean or Director of Agriculture Engineering College of existing University, Hisar;(d)any other expert to be invited by the Board specialized in horticultural sciences and allied sciences.

## **12. Meeting of Board.**

(1)The Board shall meet at such time and place, as it may deem necessary:Provided that regular meeting of the Board shall be held at least once in every three months.(2)Four members of the Board shall form a quorum of which two shall be official members for the meeting of the Board:Provided that if a meeting of the Board is adjourned for want of quorum, no quorum shall be necessary in the next meeting for the transaction of the same business.

### **13. Powers and duties of Board.**

- The Board shall have the following powers and duties, namely:-(a)to approve the budget submitted by the Vice-Chancellor;(b)to hold and control the property and funds of the University and issue any general directive on behalf of the University;(c)to accept or transfer any property on behalf of the University;(d)to administer the funds placed at the disposal of the University for specific purposes;(e)to invest money belonging to the University;(f)to appoint the officers, teachers and other employees of the University in such manner, as may be prescribed;(g)to specify the form of common seal of the University;(h)to constitute such committees, as it may deem necessary for its proper functioning;(i)to borrow money for capital improvements and make suitable arrangements for its repayment;(j)to regulate and determine all matters concerning the University in accordance with this Act, Statutes and Regulations and to exercise such powers and to discharge such duties, as may be conferred on or imposed upon the Board by this Act, Statutes and Regulations.

### **14. Constitution of Academic Council.**

(1)The Academic Council shall consist of the following members, namely:-(a)Vice-Chancellor;(b)Registrar as Member Secretary;(c)Dean of Post-Graduate Studies;(d)Dean of the College;(e)Director of Extension Education;(f)Director of Research;(g)Heads of Regional Research Stations of the University;(h)Two senior-most Head of the Departments of the University to be nominated by their respective Deans; and(i)One senior Professor from amongst all Professors.(2)The term of office of the members shall be two years.

### **15. Powers of Academic Council.**

(1)The Academic Council shall be incharge of the academic affairs of the University and shall, subject to the provisions of this Act, Statutes and Regulations, superintend direct and control and shall be responsible for the maintenance of standards of teaching, education, examination and other matters connected with the obtaining of degree, diploma, certificate and academic distinction and shall exercise such other powers and perform such other duties, as may be prescribed.(2)Without prejudice to the generality of the foregoing powers, the Academic Council shall have the following powers,-(a)to advise the Vice-Chancellor on all academic matters including management of the library;(b)to co-opt at its meetings such Heads of the Departments, as it may consider necessary;(c)to make recommendations to the Vice-Chancellor for the institution of the Professorships, Associate Professorships, Assistant Professorships with regard to the duties and emoluments thereof;(d)to formulate, modify or revise schemes for the constitution or reconstitution of Departments of teaching, research and extension;(e)to make Regulations regarding the admission of students of the University;(f)to make Regulations regarding the examinations to be conducted by the University and the conditions on which students shall be admitted to such examinations;(g)to make Regulations relating to the courses of study leading to degree, diploma, certificate and academic distinction;(h)to make recommendations regarding teaching, research and extension;(i)to make recommendations regarding the qualifications to be prescribed for appointment of teachers in the University and affiliated colleges; and(j)to exercise such other powers and perform such other duties, as may be prescribed.

## **16. Vacancy in an authority of University.**

(1) All casual vacancies of non-official members in any authority of the University shall be filled up, as soon as possible, from amongst the same category of persons, whose place becomes vacant and the person so appointed or nominated to such casual vacancy shall be a member of such authority for the remaining period of the term, for which the person, whose place he fills, would have continued as such. (2) A person, who is member of any authority of the University as representative of another body, whether of the University or not shall retain his seat in that authority so long as he continues to be a member of the body, by which he was appointed or nominated and hereafter, till his successor is duly appointed or elected. (3) No act or proceeding of any authority of the University shall be held invalid by reason merely of the existence of any vacancy or defect in the constitution of such authority. (4) If any question arises where any person has been duly appointed as, or is entitled to be, a member of any authority of the University or whether any decision of the University is in accordance with this Act, Statutes or Regulations, as the case may be, the same shall be referred to the Chancellor, whose decision thereon shall be final.

## **17. Officers of University.**

- The following shall be the officers of the University, namely:-(i) Chancellor; (ii) Vice-Chancellor; (iii) Registrar; (iv) Comptroller; (v) Dean, Post-Graduate Studies; (vi) Dean of the College; (vii) Director of Research; (viii) Director of Extension Education; (ix) Director of Students' Welfare; (x) Estate Officer-cum-Head of Engineering wing in the University; (xi) such other person in the service of the University, as may be so declared by the Statutes or Regulations.

## **18. Chancellor.**

(1) The Governor of the State of Haryana by virtue of his office, shall be the Chancellor of the University. (2) The Chancellor shall be the Head of the University and if present, shall preside over the convocation of the University for conferring degrees. (3) The Chancellor shall exercise such other powers and perform such other duties, as may be conferred upon him under this Act, Statutes and Regulations.

## **19. Inspections.**

(1) The Chancellor may cause an inspection to be made by such person, as he may direct, of the University, its buildings, laboratories, equipments and any institution maintained by the University and may cause an inquiry in respect of any matter connected with the administration and the finances of the University. (2) The Chancellor shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made and on receipt of such notice, the University shall be entitled to appoint a representative, who shall have the right to be present, and be heard, at such inspection or inquiry. (3) The Chancellor may address the Board with reference to the result of such inspection or inquiry, as the case may be, with such advice, as he may deem appropriate. (4) The

Board shall intimate to the Chancellor about the action, it proposes to take on the advice communicated to it, under sub-section (3). (5) If the Board does not take action within a reasonable time, the Chancellor may, after considering any explanation furnished or representation made by the Board, issue such directions, as he may deem fit, and the Board shall comply with such directions.

## **20. Vice-Chancellor.**

(1) The Vice-Chancellor shall be a whole-time officer of the University and shall be appointed by the Chancellor on the advice of the State Government based on the recommendation of a Selection Committee to be constituted for this purpose in such manner as may be prescribed. (2) Notwithstanding anything contained in sub-section (1), in the event of the Vice-Chancellor, being not in a position to discharge his functions on account of illness, absence or leave or any other contingency, the Chancellor may appoint any senior eligible person on the recommendation of the State Government to act as Vice-Chancellor for the disposal of the business during this period. (3) The term of office of the Vice-Chancellor shall be three years and he shall be eligible for re-appointment subject to the maximum age of 68 years. (4) The emoluments and other conditions of service of the Vice-Chancellor shall be such, as may be prescribed and the same shall not be varied to his disadvantage after his appointment. (5) The Vice-Chancellor may, relinquish office by resignation in writing, addressed to the Board and deliver it to the Secretary of the Board at least two months prior to the date, on which he wishes to be relieved. (6) When a vacancy occurs or is likely to occur in the office of the Vice-Chancellor on account of resignation or expiry of the term of office, the Registrar shall report the fact forthwith to the Board and such vacancy shall be filled in accordance with the provision of sub-section (1).

## **21. Powers and duties of Vice-Chancellor.**

(1) The Vice-Chancellor shall be the principal executive and academic officer of the University and the Chairman of the Academic Council. (2) The Vice-Chancellor shall exercise control over the affairs of the University and shall be responsible for the due maintenance of discipline at the University. (3) The Vice-Chancellor shall convene meeting of the Academic Council. (4) Without prejudice to the powers conferred by this Act on the State Government, the Vice-Chancellor shall ensure faithful observance of the provisions of this Act, Statutes and Regulations and shall also exercise all such powers, as may be necessary in this behalf. (5) The Vice-Chancellor shall be responsible for the presentation of the budget and the statement of accounts to the Board. (6) In any emergency, which, in the opinion of the Vice-Chancellor, requires immediate action to be taken, he shall take such action, as he deems necessary except dismissal, removal and reduction in rank of the persons appointed by the Board and shall, at the earliest possible, report about the action taken to the concerned authority for confirmation, who or which in the ordinary course, would have dealt with the matter, but nothing in this sub-section shall be deemed to empower the Vice-Chancellor to incur any expenditure, not duly authorized and provided for, in the budget: Provided that no action shall be taken to his disadvantage unless such a person has been given opportunity of being heard. (7) The person aggrieved by an action, referred to in sub-section (6) may prefer an appeal to the Board within a period of thirty days from the date, on which the action against him is



communicated to him.(8)Subject as aforesaid, the Vice-Chancellor shall give effect to the orders of the Board regarding the appointment, suspension or dismissal etc. of officers, teachers and other employees of the University.(9)The Vice-Chancellor shall be responsible for the co-ordination and integration of teaching, research and extension education.(10)The Vice-Chancellor shall exercise such other powers, as may be prescribed.

## **22. 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 Board on the recommendation of State Government from amongst the persons, having the following qualifications and experience:(i)at least fifteen years experience as Assistant Professor or eight years experience as Associate Professor in recognized university or college alongwith experience in educational administration; or(ii)equivalent experience in research establishment or other institutions of higher education; or(iii)fifteen years of administrative experience of which at least eight years as Deputy Registrar or on an equivalent post.(2)The Registrar shall be the Chief Administrative Officer of the University and work directly under the superintendence, direction and control of the Vice-Chancellor.(3)The Registrar shall receive such remuneration and other emoluments, as may be prescribed.

## **23. Powers and duties of Registrar.**

- The Registrar shall,-(a)be the ex-officio Secretary of the Board and Member Secretary of Academic Council and shall place all such information before the Board and Academic Council, as may be necessary for the transaction of business of the Board and Academic Council, as the case may be;(b)be responsible for the custody of the records and the common seal of the University;(c)receive applications for admission to the University;(d)make arrangement for admission of Non-Resident Indian students, Non-Resident Indian sponsored students, foreign students, industry sponsored students;(e)keep permanent record of all syllabi, curriculum and information connected therewith;(f)make arrangement for the conduct of such examination, as may be prescribed and be responsible for the due execution of all processes connected therewith; and(g)perform such other duties, as may be prescribed from time to time, by the Vice-Chancellor.

## **24. Comptroller.**

(1)The Comptroller shall be a whole-time officer of the University and shall be appointed by the Vice-Chancellor with the approval of the Board.(2)The Comptroller shall manage the property and investments of the University and advise with regard to its financial policy.(3)The Comptroller shall be responsible to the Vice-Chancellor for all the financial matters of the University including the preparation of its budget and statement of accounts.(4)The Comptroller shall receive such remuneration, as may be prescribed.(5)The Comptroller shall,-(a)ensure that the expenditure not authorized in the budget is not incurred by the University, except by way of investment approved by the Board;(b)disallow any expenditure, not warranted by the terms of any Statutes or for which provision is required to be made by the Statutes but has not yet been made; and(c)ensure that all money belonging to the University, be kept in a Scheduled Bank.

## **25. Dean of Post Graduate Studies.**

(1)The Dean of Post Graduate Studies shall be a whole time officer and shall be appointed by the Vice-Chancellor with the approval of the Board.(2)The Dean of Post Graduate Studies shall be responsible to the Vice-Chancellor for all matters concerning the Post Graduate Studies.(3)The Dean of Post Graduate Studies shall be responsible for organization, origination and conduct of postgraduate instruction.(4)The Dean of Post Graduate Studies shall act as liaison officer with national and international organizations, agencies or individuals for education, research and employment.

## **26. Dean of college.**

(1)The Dean of college shall be a whole time officer and shall be appointed by the Vice-Chancellor with the approval of the Board.(2)The Dean of college shall be responsible to the Vice-Chancellor for all matters concerning the College.(3)The Dean of college shall be responsible for the organization, origination and conduct of the College instruction.(4)The Dean of college shall act as liaison officer with national and international organizations, agencies or individuals for education, research and employment.

## **27. Director of Research.**

(1)There shall be a Director of Research in the University to be appointed by the Vice-Chancellor with the approval of the Board.(2)The Director of Research shall be a whole time officer trained in Horticulture or allied sciences and shall initiate, guide and co-ordinate research programmes of the University and its institution and shall be responsible to the Vice-Chancellor.

## **28. Director of Extension Education.**

(1)There shall be a Director of Extension Education who shall be a whole time officer technically trained in Horticulture or allied sciences and shall be appointed by the Vice-Chancellor with the approval of the Board.(2)The Director of Extension Education shall be responsible to the Vice-Chancellor and shall prepare programmes for assisting farmers and entrepreneurs interested in horticulture in applying results of scientific investigations for the solution of their problems.

## **29. Functions of Director of Extension Education.**

(1)The Director of Extension Education shall be responsible for,-(a)the Horticulture and allied sciences which are primarily educational in nature;(b)imparting training to the Extension Officers;(c)such other duties, as may be prescribed.(2)The Director of Extension Education shall perform his functions in co-ordination with the Department of Horticulture or any other department, as the case may be.

### **30. Director of Students' Welfare.**

(1)The Director of the Students' Welfare shall be a whole time officer of the University and shall be appointed by the Vice-Chancellor with the approval of the Board.(2)The Director of the Students' Welfare shall perform the following duties, namely:-(a)to make arrangements for housing of the students;(b)to make programmes of students' counselling;(c)to arrange employment of the students in accordance with the plans approved by the Vice-Chancellor;(d)to supervise the extra-curricular activities of the students;(e)to assist placement of the students of the University;(f)to organize and maintain contact with the alumni of the University; and(g)to ensure maintenance of discipline by the students.(h)such other duties, as may be prescribed.(3)The Director of the Students' Welfare shall be responsible for the custody, maintenance and management of all the buildings, lawns, gardens, playgrounds and other properties of the University.

### **31. Estate Officer.**

- The Head of Engineering Wing in the University shall be the Estate Officer and shall be whole time officer of the University and shall be appointed by the Vice-Chancellor with the approval of the Board. The Estate Officer shall be responsible for all the civil work including infrastructure development, landscaping etc.Chapter-IV Colleges and Institutions

### **32. Composition of college.**

(1)Each college shall comprise such Departments, as may be prescribed.(2)There shall be a Head of each Department, who shall be responsible to the concerned Deans for instruction; to the Director of Research for research work; and Director of Extension Education for extension education.(3)The Head of the Department shall be selected by the Vice-Chancellor and appointed by him with the approval of the Board, in the manner, as may be prescribed.(4)The duties, powers and functions of the Head of Department shall be such, as may be prescribed.Chapter-V Services

### **33. Salary and allowances.**

- The salary and allowance payable to the officers, teachers and other employees of the University shall be such, as may be determined by the Vice-Chancellor with the approval of the Board.

### **34. Retirement and other conditions of service.**

- The age of retirement and other conditions of service of every officer, teacher or other employee of the University shall be such, as may be prescribed.

### **35. Provident fund.**

- The University shall constitute gratuity and provident fund for the benefit of its officers, teachers and other employees in such manner, and subject to such conditions, as may be prescribed.

### **36. Appointment of technical staff.**

- Subject to the provisions of this Act, the members of the technical staff of the University shall be selected by the Head of the Department in consultation with the members of the Department concerned and further be recommended by the concerned Dean or the Director of Research or the Director of Extension Education, as the case may be, to the Vice-Chancellor and shall be appointed by him with the approval of the Board.

### **37. Temporary arrangements.**

- The Vice-Chancellor may appoint temporarily any officer of the University subject to the provisions of this Act until such time, the authorities of the University are duly constituted. Chapter-VI Statutes and Regulations

### **38. Statutes.**

- Subject to the provisions of this Act, the Statutes may provide for the following matters, namely:-(a) constitution, powers and duties of the authorities of the University; (b) selection, appointment and continuance in office of members or authorities of the University; (c) filling up of vacancies, designation, manner of appointment, powers and duties of officers of the University; (d) classification, filling up of vacancies and manner of appointment of teachers; (e) constitution of gratuity or provident fund or both for the benefit of officers, teachers and other employees of the University; (f) institution of degree, diploma, certificate and academic distinction; (g) conferment of honorary degrees; (h) establishment, amalgamation, sub-division and abolition of Departments of the College; (i) establishment and abolition of hostels; (j) institution of fellowships, scholarships, medals and prizes; (k) maintenance of a register of graduates; (l) admission of students to the University and their enrolment and continuance as such; (m) courses of study to be laid down for degree, diploma certificate or academic distinction of the University; (n) conditions under which students shall be admitted to a degree, diploma, certificate or academic distinction and manner in which the examinations are to be held and eligibility for award of degree, diploma, certificate and academic distinction; (o) conditions of residence of students of the University and levy of fees for residence in hostels maintained by the University; (p) recognition and supervision of hostels not maintained by the University; (q) number, qualifications, emoluments and other conditions of service of officers, teachers and other employees of the University and preparation and maintenance of record of their services and activities; (r) fees to be charged by the University; (s) remuneration and allowances, including travelling and daily allowances, to be paid to persons employed in the business of the University; (t) conditions for award of fellowships, scholarships, medals, prizes, stipends and fee concessions; and (u) all other matters, which under this Act are to be or may be provided for by the Statutes or Regulations.

### **39. Statutes how made.**

(1) The relevant provisions of the Statutes, made for the existing university and in force immediately

before the commencement of this Act, shall, in so far as they are not inconsistent with the provisions of this Act and subject to such adaptations and modifications, be the first Statutes of the University.(2)The Board may, from time to time, make new or additional Statutes and may amend or repeal the same.(3)The Academic Council may propose to the Board, the draft of Statutes and such draft shall be considered by the Board at its next meeting:Provided that the Academic Council shall not propose the draft of any Statutes or any amendment therein, affecting the status, powers or constitution of any authority of the University, until such authority has been given an opportunity to express its opinion upon the proposal, and any opinion so expressed, shall be considered by the Board.(4)The Board may consider any such draft, as is referred to in sub-section (3) and pass the proposed Statutes or reject or return it to the Academic Council, for re-consideration, either in whole or in part, together with any amendment, which it may suggest.(5)Any member of the Board may,-(a)propose to the Board, the draft of any Statutes and the Board may, either accept or reject the proposal, if it relates to a matter, not falling within the purview of the Academic Council;(b)in case, such a draft relates to a matter, which is within the purview of the Academic Council, the Board shall refer it for consideration to the Academic Council, which may, either report to the Board that it approves or does not approve the proposal, which then, shall be deemed to have been rejected by the Board or submit the draft to the Board in such form, as the Academic Council may, approve;(c)the provisions of clause (b) shall apply in the case of the draft submitted by any member of the Board under clause (a) to the Board, as they apply in the case of a draft, presented to the Board by the Academic Council.

#### **40. Regulations.**

(1)The Regulations made for the existing university and in force immediately before the commencement of this Act, shall, in so far as they are not inconsistent with the provisions of this Act and subject to such adaptations and modifications, be the first relevant Regulations of the University.(2)The authorities of University may make Regulations consistent with this Act and the Statutes for:-(a)suitable recruitment procedure both for teaching and non-teaching posts;(b)conduct of employees and disciplinary procedure to be followed in case of misconduct and other lapses in the discharge of their duties;(c)giving of notice to the members of each authority of the dates of meetings and also for keeping the record of the proceedings of the meetings;(d)the procedure to be followed at the meetings;(e)all matters concerning and provided for under this Act and the Statutes.(3)Every Regulation made under this section, shall come into force on such date, as may be specified by the Board.

#### **41. Control by State Government.**

(1)The University shall carry out such directions as may be issued to it, from time to time, by the State Government for the efficient administration of this Act.(2)The State Government may, at any time, either on its own motion or on application made to it in this behalf, call for the record of any case disposed of, or order passed by the University for the purpose of satisfying itself as to the legality or propriety or correctness of any order passed or directions issued and may pass such order or issue such direction in relation thereto, as it may think fit:Provided that the State Government shall not pass any order adversely affecting any person without affording such person an

opportunity of being heard.(3)The State Government may depute any officer to inspect or examine the University or its development work and to report thereon and the officer so deputed may, for the purposes of such inspection or examination, call for-(a)any extract from any proceeding, record, correspondence, plan or other documents of the authority or any committee constituted under this Act;(b)any return, estimates, statement of accounts, statistics;(c)any report, and the University shall furnish the same.

#### **42. Protection of action taken in good faith.**

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

#### **43. Transitory powers of first Vice-Chancellor.**

(1)It shall be duty of the first Vice-Chancellor to make arrangement for constituting the Board and other authorities of the University within a period of six months from the date of commencement of this Act or such longer period not exceeding one year, as the State Government may, by notification direct.(2)The First Vice-Chancellor shall, in consultation with the Chancellor, make such Regulations, as may be necessary for functioning of the University.(3)It shall be duty of first Vice-Chancellor to draft such Statutes, as may be immediately necessary and submit the same to the Board for approval.(4)Notwithstanding anything contained in this Act and until such time an authority is duly constituted under this Act, the first Vice-Chancellor may appoint any officer or constitute any committee temporarily to exercise and perform any of the powers and duties of such committee under this Act.

#### **44. Officers to be public servant.**

- The officers and officials appointed under this Act while acting or purporting to act in pursuance of any of the provisions of the Act, shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (Act 45 of 1860).

#### **45. Annual report.**

- The annual report of the University giving details of broad programmes, policies and finances, amendments of Statutes made during the year shall be prepared under directions of the Vice-Chancellor and be submitted to the Board on or after such date, as may be prescribed by the Statutes and the Board shall consider the report at its meeting.

Chapter- VII Finance, Account and Audit

## **46. General fund.**

- The University shall have a general fund and the following shall be credited to it, namely:-(a)income from fees, endowments, grants and properties of the University;(b)contributions or grants from the State Government and the Central Government on such conditions, as may be imposed by that Government; and(c)other contributions, grants, donations and benefactions.

## **47. Other funds.**

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

## **48. Constitution of Finance Committee.**

- The University shall constitute a Finance Committee consisting of the following members, namely:-(a)Vice-Chancellor(b)Comptroller;(c)a member chosen by the Board from amongst its official members; and(d)a member chosen by the Board from amongst its non-official members.

## **49. Powers and duties of Finance Committee.**

(1)The Finance Committee shall have the following powers and duties, namely:-(a)to examine the annual accounts of the University and to advise the Board thereon;(b)to examine the annual budget estimates and to advise the Board thereon;(c)to review the financial position of the University from time to time;(d)to make recommendation to the University on all matters relating to the finances of the University; and(e)to make recommendation to the Board on all proposals involving expenditure for which no provision has been made in the budget or which involves expenditure in excess of the amount provided in the budget.(2)The accounts and the balance sheet shall be submitted by the Vice-Chancellor through the Board to the State Government, which shall cause them to be audited by the Examiner, Local Fund Accounts.(3)The accounts, when audited, shall be printed and copies thereof together with audit report, shall be submitted by the Vice-Chancellor to the Board, which shall forward them to the State Government with such comments, as it may deem fit.

## **50. Powers of State Government to direct audit.**

- The State Government shall have the power to order special audit of the accounts of the University by such auditor or agency, as it may direct.

## **51. Legal Proceedings.**

- If on the commencement of this Act, any suit, appeal or other proceeding of whatever nature, is pending by or against the existing university, the same shall not abate or be discontinued or be in any way pre-judicially affected by reason of the re-organization of the existing university, but such suit, appeal or other proceedings, may be continued, prosecuted or enforced by or against the concerned university to which the subject matter of such suit, appeal or other proceedings pertain

after the re-organization.

## **52. Authentication of pleadings.**

- In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar, and all process in such suits and proceedings shall be issued to, and be served on him.

## **53. Obligation to be discharged by existing university.**

- If the existing university prior to the establishment of this University, has conducted any examination, but the result thereof has not yet been declared, in such cases, the existing university shall declare the result and confer the degree, diploma, certificate and mark sheets, as the case may be.

## **54. Power to remove difficulties.**

- If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary for removing the difficulty: Provided that no order shall be made under this section, after the expiry of a period of three years from the date of commencement of this Act.